

ORDINANCE #65927
Board Bill No. 19

An Ordinance pertaining to the Existing Building Code of the City of Saint Louis; adopting the International Existing Building Code, 2003 Edition with changes, as the Existing Building Code of the City of Saint Louis; and containing a savings clause, a severability clause, a penalty clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:

Section One.

The International Existing Building Code, 2003 Edition as published by the International Code Council, Inc., three copies of which are on file in the Office of the Register of the City of Saint Louis, being marked and designated as the *International Existing Building Code*, 2003 as published by the International Code Council, Inc., be and is hereby adopted as "The Existing Building Code of the City of Saint Louis, in the State of Missouri", for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said *International Existing Building Code*, 2003 are hereby referred to, adopted and made a part hereto, as if fully set out in this ordinance with the additions, insertions, deletions and changes prescribed in Section Two of this Ordinance.

SECTION TWO.

The International Existing Building Code 2003 is amended and changed in the following respects:

Delete entire Chapter 1 and replace with the following:

CHAPTER 1
ADMINISTRATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the Existing Building Code of the City of Saint Louis hereinafter referred to as "this code."

101.2 Scope. The provisions of the Existing Building Code of the City of Saint Louis shall apply to the repair, alteration, change of occupancy, addition, and relocation of existing buildings. A building or portion of a building which has not been previously occupied or used for its intended purpose shall comply with the provisions of the Building Code, Electrical Code, Plumbing Code, Mechanical Code and Zoning Ordinances as amended for new construction.

The Existing Building Code does not replace nor repeal any existing codes. This code applies to existing buildings only, and if in conflict, the most restrictive shall apply.

101.3 Intent. The purpose of this code is to ensure public health, safety and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition, and relocation of existing buildings.

101.4 Existing buildings. The legal occupancy of any building or structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Property Maintenance Code or Fire Prevention Code as amended, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

101.5 Maintenance. Buildings, and parts thereof, shall be maintained in a safe and sanitary condition. The provisions of the Property Maintenance Code and Fire Prevention Code as amended shall apply to the maintenance of existing buildings and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; the responsibilities of owners, operators and occupants; and occupancy of existing premises and buildings. All existing devices or safeguards shall be maintained in all existing buildings. The owner or the owner's designated agent shall be responsible for the maintenance of the building. To determine compliance with this subsection, the code official shall have the authority to require a building to be reinspected. Except where specifically permitted by this code, the code shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings.

101.5.1 Work on individual components or portions. Where determination is made by the code official that a component or a portion of a building or structure is in need of repair, strengthening or replacement by provisions of this code, only that specific component or portion shall be required to be repaired, strengthened or replaced unless specifically required by other provisions of this code, or the code official.

101.5.2 Design values for existing materials and construction. The incorporation of existing materials, construction and detailing into the structural system shall be permitted when approved by the code official. Minimum quality levels and maximum strength values shall comply with this code.

101.6 Safeguards during construction. All construction work covered in this code, including any related demolition, shall comply with the requirements of Chapter 13.

101.7 Appendices. The code official is authorized to require rehabilitation and retrofit of buildings, structures, or individual structural members in accordance with the appendices of this code if such appendices have been individually adopted. When any of such appendices is specifically referenced in the code, it shall become a part of this code without any special adoption by the local jurisdiction.

101.8 Correction of violations of other codes. Repairs or alterations mandated by the Property Maintenance or Fire Prevention Codes as amended or mandated by any licensing rule or ordinance, adopted pursuant to law, shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

101.9 Workmanship. All work executed in response to complying with the provisions of this code shall be performed in a neat and workmanlike manner to impart quality to anything in the process of being made, produced, constructed, altered, repaired, installed or assembled.

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in Chapter 14 of this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.4.1 Standards and guidelines for structural evaluation. The code official shall allow structural evaluation, condition assessment and rehabilitation of buildings, structures or individual structural members based on this code's appendix chapters, referenced standards, guidelines or other approved standards and procedures.

102.4.2 Compliance with other codes, standards and guides. Compliance with the structural provisions of the Building Code as amended shall be deemed exceeding or equivalent to compliance with the structural provisions of this code.

102.5 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Matters not provided for. Any requirements that are essential for the structural, fire or sanitary safety of an existing building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the code official.

SECTION 103 DIVISION OF BUILDING AND INSPECTION

103.1 Creation of enforcement agency. The Department of Public Safety - Division of Building and Inspection is hereby charged with the enforcement of this code.

SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL

104.1 General. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or violating accepted engineering practice involving public safety.

104.1.1 Rule making authority: The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or violating accepted engineering practice involving public safety.

104.2 Applications and permits. The code official shall receive applications, review construction documents and issue permits for the repair, alteration, addition, demolition, change of occupancy and relocation of buildings, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.2.1 Preliminary project review meeting. When requested by the permit applicant, the code official shall meet with the permit applicant to discuss plans for the proposed work or change of occupancy prior to the application for a construction permit in order to establish the specific applicability of the provisions of this code.

Exception: Repairs, and level 1 alterations.

104.2.1.1 Building evaluation. The code official is authorized to require an existing building to be investigated and evaluated by a registered design professional to determine the existence of any potential nonconformance with the provisions of this code.

104.3 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The code official shall make all of the required inspections, or the code official shall have the authority to accept reports of inspection by approved agencies, design professionals or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Upon presentation of proper credentials, the code official shall have the authority to enter at reasonable times any building, structure or premises to perform any duty imposed upon him by this code, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law and the person who failed to provide entry will be subject to the penalties provided in this code.

104.7 Liability. The code official or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any employee because of an act performed by that person in the lawful discharge of duties and under the provisions of this code shall be defended by the City of Saint Louis City Counselor's Office until the final termination of the proceedings. The code official or any subordinates shall not be liable for costs or judgement in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any employee of the Division of Building and Inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

The above protection shall also extend to former employees for work performed during their period of employment with the City of Saint Louis.

104.8 Approved materials and equipment. Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

104.8.1 Used materials and equipment. The use of used materials, which meet the requirements of this code for new materials, is permitted. Used equipment and devices shall not be reused unless approved by the code official.

104.9 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The application for modification and the final decision of the code official shall be in writing, and shall be officially recorded with the application for the permit in the records of the Division of Building and Inspection.

104.10 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

104.10.1 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the City of Saint Louis. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. Tests shall

be performed by an approved agency. Reports of such tests shall be retained by the code official for the period required for retention.

104.11 Buildings, structures or premises partly within city limits. When a building, structure or premises is constructed partly within the City and partly within County Limits, the Building Commissioner shall be authorized to enter into agreements with the adjoining code jurisdictions to avoid duplications of inspections, fees and permits.

104.12 Department records: The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be maintained in the official records as long as the building, structure or occupancy to which they relate remains in existence, unless otherwise provided by other regulations.

Fiscal records shall be kept until the Comptroller permits their disposal. All other citations or orders shall be kept for a period of five years from the date of the record or until such citation or order is found to be in compliance. Construction documents need not be retained after the issuance of a certificate of occupancy. Destruction of records shall be done pursuant to Article 15 of the City Charter.

Original or file copies, when subpoenaed, shall be electrostatic copies certified by the Custodian of Records to be true and accurate copies of original documents. Original documents shall remain in the possession of the Division of Building and Inspection. Records relating to demolition of buildings need only be kept for five years after the date of completion.

SECTION 105 PERMITS

105.1 Required. Any owner or authorized agent who intends to perform site grading, excavate, repair, add to, alter, relocate, demolish, or change the occupancy of a building or to repair, install, add, alter, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit. No building or structure shall be constructed, extended, repaired, removed, altered or occupied in violation of these provisions, and further that the raising, lowering or moving of a building or structure as a unit necessitated by a change in legal grade or widening of a street shall be permitted, provided the building or structure is not otherwise altered or its occupancy changed.

Political subdivisions of the State of Missouri, including but not limited to, the Board of Education, Metropolitan Sewer District, the Housing Authority, Saint Louis Police Department, Planned Industrial Expansion, Land Clearance Redevelopment Authority, Land Reutilization Authority, Saint Louis Development Corporation and the Regional Convention and Sports Complex Authority are covered under the provisions of this code for all property within the city limits.

Exceptions:

1. Structures owned and occupied by the United States of America or the State of Missouri.
2. City of Saint Louis owned property located outside of the City Limits.
3. Existing building occupancies that are licensed by the State of Missouri as family child care homes providing home day care, as specified in Section 310.5.2. of the Building Code as amended.
4. Structures located within cemetery boundaries which are less than one thousand square feet in area and less than twenty feet in height, measured from grade to the highest point.
5. Laying or relaying of railroad trackage sidings and their appurtenant signals, culverts and structures.

105.1.1 Preservation Board permit requirements. When the ordinances of the Cultural Resources Office of the Planning and Urban Design Agency (CRO) require a permit for items for which this code does not require a permit, applications shall be permitted to be taken by the Building Division and processed solely to the Cultural Resources Office. Both the Building Commissioner and the Cultural Resources Office Director are authorized to place stop work orders. Any appeals or court actions resulting from such citations, applications or permits shall have technical and aesthetic testimony from the Preservation Board and the staff of the Cultural Resources Office.

105.1.2 Cultural Resources Office denial. Unless overruled by the Building Commissioner as a result of an emergency situation, or the Planning and Urban Design Commission, a denial from the Preservation Board shall be the final denial; no further notice from the code official shall be required to any person.

105.2 Work exempt from permit. The following new construction and repairs are exempt from obtaining a building permit, but are still required to obtain a Flood Plain Development Permit if the site is located in the flood plain areas defined by FEMA. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the City of Saint Louis.

Ordinary repairs to residential buildings and structures up to four units, which do not fall under the purview of the Cultural Resource Office requiring "Cultural Resource Office Only" permits.

1. Tuckpointing, plaster patching, exterior and interior painting, floor sanding and refinishing, floor tile or carpeting, replacement of flooring with like material, application of wall paper and other wall covering material, and cabinet installation;
2. Repair or replacement of existing gutters and above grade portions of downspouts;
3. Application of pre-finished aluminum, steel or other like materials on soffits, fascia boards and overhangs;
4. Replacement or repair of existing windows and frames, whenever no modification is made to the opening; installation of storm windows and doors, whenever no modification is made to the opening; glazing and glass replacement;
5. Replacement or repair of exterior and/or non-fire rated interior doors, whenever no modification is made to the opening;
6. Sidewalks and driveways within property lines;
7. Exterior stairs and/or steps, which are on grade, not attached to the structure, and within property lines;
8. Paved areas for residential use on the same lot as the primary structure, without roofs, covers or enclosures;
9. Miscellaneous site work, landscaping, shrubbery and planting boxes, excavation or fill. creating a permanent change in property elevation less than 6" along property lines;
10. Fixed or retractable awnings that do not project over property lines, and not over 40 square feet in projected area;
11. Wall paneling of any type when applied directly to existing wall surfaces;
12. Acoustic ceiling tile of any type when applied directly to existing ceiling surfaces;
13. Installation of battery-operated smoke detectors;
14. Small accessory buildings, such as tool sheds, cabanas, "play houses", etc., 50 square feet in area or less, provided such accessory buildings maintain the setbacks required by the Zoning Ordinance;
15. Above-ground swimming pools. Also, in-ground swimming pools with less than 24" water depth with a surface area of less than 250 square feet. All pools require a permit from the City Health Department;
16. Roof replacement when done with like material; replacement of 25% or less of the roof sheathing;
17. New aluminum or vinyl exterior siding with no change to existing openings;
18. Replacement of existing fencing, same height, material and location, in the rear or side yards;
19. Retaining walls 18" or less in height;
20. Non-dish radio or television antennae 12 feet or less in height attached to, or on the roof of a building;
21. Tents smaller than 1000 square feet, or those used for private family events on the same lot as the owner's residence.
22. Statues on private property, erected on grade, not attached to or part of a building or structure

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the code official.

105.2.2 Repairs. Application or notice to the code official is not required for ordinary repairs to structures and items listed in Section 105.2. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, sprinkler system, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 By whom application is made. Application for a permit shall be made by the owner or lessee of the building or structure,

or agent of either, or by the registered design professional employed in connection with the proposed work. The full names, addresses and telephone number of the owner, lessee, and applicant shall be stated in the application. Every application should have a local contact person listed. Demolition and certificate of occupancy applications, when applied for by anyone other than the owner of record, shall be accompanied by a notarized letter of authorization or other documentation from the owner of record granting permission to apply.

105.3.1 Application for permit. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Department of Public Safety for that purpose. Such application shall:

1. Identify and describe the work in accordance with Chapter 3 to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by street address that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the code official.

105.3.2 Action on application. The code official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the code official shall reject such application, stating the reasons therefor. If the code official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the code official shall issue a permit therefor as soon as practicable.

105.3.3 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the City of Saint Louis. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City of Saint Louis shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the code official from requiring the correction of errors in the construction documents and other data. The code official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of the City of Saint Louis.

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within six months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of six months after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time, for periods not more than six months each. The extension shall be requested in writing and justifiable cause demonstrated.

105.6 Suspension or revocation. The code official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.7 Posting of permit: A true copy of the building permit shall be kept on the site of operations, open to inspection during the entire time of prosecution of the work and until the completion of the same.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Construction documents. The application for the permit shall be accompanied by at least five complete sets of construction drawings, two sets of project specifications, two sets of structural calculations, two sets of the geotechnical (soils) report and one set of site or building photographs, with sufficient clarity and detailed dimensions to show the nature and character of the work to be performed. The minimum size of any sheet shall be 8½" x 11" and the maximum size of any sheet shall be 36" x 48". When quality of materials is essential for conformity to this code, specific information shall be given to establish such quality and this code shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information. Construction documents containing the words "not for construction", "preliminary", "review set", or their equivalent, shall not be accepted for application. Construction documents marked with contractors "take-off" notations shall not be accepted for application.

Construction documents shall be dimensioned and drawn upon suitable material. Construction documents shall be of

sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the code official. The work areas shall be shown.

106.1.1 Sealed construction documents. All construction documents submitted with an application for a building permit shall be prepared by a registered design professional as required by Chapter 327 of the Revised Statutes of the State of Missouri. All construction documents shall bear an original embossed or wet ink seal, original ink signature and the date the documents were sealed by the registered design professional for each discipline on the first sheet of each discipline within each set of construction documents, or on the cover sheet of each set of construction documents.

In addition, all other sheets of the construction documents, other than project specifications or calculations, shall bear the original embossed, wet ink or mechanically reproduced seal, signature and date of the registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear the original embossed or wet ink seal, original ink signature and date the documents were sealed.

All project specifications, calculations, reports or other documents not considered to be construction drawings shall bear an original wet ink or embossed seal, original ink signature and the date the documents were signed by the registered design professional for each discipline on the title or index sheet.

106.1.1.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the Building Code as amended.

106.1.2 Means of egress. The construction documents for alterations level 2, alterations level 3, additions, and changes of occupancy shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. The construction documents shall designate the number of occupants to be accommodated on every work area of every floor, and in all affected rooms and spaces.

106.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The code official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration, repair or change of occupancy.

106.3 Examination of documents. The code official shall examine or cause to be examined the construction documents and shall ascertain by such examinations whether the construction or occupancy indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Approval of construction documents. When the code official issues a permit, the construction documents shall be approved, in writing or by stamp. One set of construction documents so reviewed shall be retained by the code official. One set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the code official or his authorized representative.

106.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

106.3.3 Phased approval. The code official is authorized to issue a permit for the construction of foundations or any other part of a building before the construction documents for the whole building have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.3.4 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the code official within a specified period. Deferral of any submittal items shall have the prior approval of the code official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the code official. Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the code official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the code official.

106.4 Amended construction documents. Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for

approval as an amended set of construction documents.

106.5 Retention of construction documents. One set of approved construction documents shall be retained by the code official for a period of not less than the period required for the retention of public records.

106.6 Design professional in responsible charge.

106.6.1 General. When it is required that documents be prepared by a registered design professional, the code official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The code official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

**SECTION 107
TEMPORARY AND SEASONAL STRUCTURES AND USES**

107.1 General. The code official is authorized to issue a permit for temporary and seasonal structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than six months. The code official is authorized to grant extensions for demonstrated cause.

107.1.1 Seasonal. A seasonal structure shall require a notarized letter from the owner of the property and the alderperson.

107.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

107.3 Temporary power. The code official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the Electrical Code as amended.

107.4 Termination of approval. The code official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

**SECTION 108
FEES**

108.1 Payment of fees. No permit, certificate or inspection report, as required by the provisions of this code, shall be released or issued until the fees listed in this section have been paid to the City of Saint Louis, as collected by the code official or designated representative; nor shall an amendment to a permit be released until the additional fees have been paid. In collecting said fees, the code official is authorized to accept personal checks as payment; however, non-payment by said checking account shall be considered as a violation of this code and is cause for suspension or revocation of permits, certificates or reports issued or released for such personal check payment. If a permit is suspended or revoked for non-payment of a fee, or for insufficient funds, an additional twenty dollars shall be collected to cover administrative costs.

108.1.1 Fees other than herein prescribed: The payment of fees listed in this section shall not relieve the applicant or holder of any permit or any certificate of occupancy from the payment of other fees which shall be prescribed by law or ordinance for water taps, sewer connections, plumbing permits, mechanical permits, electrical permits, sprinkler permits, fire alarm permits, erection of signs and display structures, or fees for inspections or other privileges or requirements, both within and without the jurisdiction of the Division of Building and Inspection.

108.1.2 City of Saint Louis, Department of the President, Board of Public Service projects. Building permit fees shall be waived for contractors working in facilities located within the city limits, owned and occupied by the City of Saint Louis. Only projects which are paid for by the Department of the President, Board of Public Service out of general revenue funds and bid and contract let by the Department of the President, Board of Public Service, and inspected by the Department of the President, Board of Public Service shall be exempt from the payment of fees. This shall not relieve the applicant from applying for and obtaining a building permit. These five requirements shall apply to building permits only. These requirements shall not apply to Demolition, Plumbing, Mechanical, Electrical and Fire Protection Systems permits. Demolition permits, Plumbing permits, Mechanical permits, Electrical permits and Fire Protection Systems permits shall be applied for and paid for by the appropriate contractor.

108.1.3 Application fees. An application fee is an administrative charge made for processing permit applications and shall be the fee as listed in Table 108.2.

108.1.4 Repairs and level 1, 2 or 3 alterations. The fee for a permit for repairs or level 1, 2 or 3 alterations to a building or structure shall be based on the estimated cost of said alterations or repairs and shall be charged at the rate listed in Table 108.2.

108.1.5 Additions. The building permit fee for additions will be based on the total estimated cost of construction, and shall be charged at the rate listed in Table 108.2 for additions. For the purpose of determining a fee, total construction costs shall include all costs for normal site preparation including grading, excavation and backfill, structural work, plumbing work, mechanical work, electrical work, interior and exterior finishes, overhead and profit, engineering and architectural fees. The following shall be permitted to be excluded from total construction costs: the cost to install sprinkler, standpipe and fire alarm systems; or signs.

108.1.6 Miscellaneous structures and site work. The fee for a permit for, including but not limited to, the construction of a tower, retaining wall, floating structure, stack, fence and site-work (including parking lots) shall be based on the estimated cost of the construction at the rate listed in Table 108.2.

108.1.7 Moving of buildings. The fee for a permit to move a building or structure from one lot to another, or to a new location on the same lot, shall be as listed in Table 108.2. In the event that a building or structure is to be moved from a point within the City of Saint Louis to a point outside the city, the fee for the moving permit shall be based on the estimated cost of restoration of the original site to a safe and satisfactory condition plus that portion of the moving cost which covers the journey to the city limits. In the event that a building or structure is to be moved from the outside of the City of Saint Louis to a point inside the city limits, the fee for the moving permit shall be based on the estimated cost of the portion of the journey from the city limits to the site of re-erection.

108.1.7.1 New foundations. Before any building or structure is moved to a new foundation, it shall be required, in addition to a moving permit, that a building permit be obtained for the construction of said new foundation; the fee for the permit for said foundation shall be as listed in accordance with Table 108.2. In addition, all additional electrical, mechanical and plumbing permits shall be obtained.

108.1.8 Amending permits. After a permit has been issued and an amendment is applied for, the fee shall be as follows:

1. For each and every amendment which involves additional work not originally applied for to complete the entire project, the fee shall be the appropriate fee for the additional work contemplated as usually calculated, the fee for the special demolition fund, lead remediation fund plus the application fee. These fees shall be as listed in Table 108.2.
2. For each and every amendment not involving additional work, a minimum fee as listed in Table 108.2 shall apply even though the project dollar value or building volume should remain the same or decrease. To this shall be added the application fee.

108.1.9 Special demolition fund. There shall be an additional fee charged on all building permits based on the total estimated cost of construction, and shall be charged at the rate listed in Table 108.2 for the special demolition fund.

108.1.10 Lead remediation fund. There shall be an additional fee charged on all building permits based on the total estimated cost of construction, and shall be charged at the rate listed in Table 108.2 for the special lead remediation fund.

108.2 Schedule of permit fees. On building, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established in their respective ordinances.

Table 108.2 Building Permit Fees			
Item	Fee	Minimum Fee	Remarks & Requirements
APPLICATION FEE	\$25.00		An administrative charge made for processing applications.
PERMIT FOR REPAIRS	\$5.00/\$1000 of estimated cost or fraction thereof	\$15.00	
PERMIT FOR LEVEL 1, 2 OR 3 ALTERATIONS TO AN EXISTING BUILDING	\$5.00/\$1000 of estimated cost or fraction thereof	\$15.00	
PERMIT OF ADDITIONS TO AN EXISTING BUILDING	\$5.00/\$1000 of estimated cost or fraction thereof	\$15.00	

Table 108.2 Building Permit Fees			
Item	Fee	Minimum Fee	Remarks & Requirements
MISCELLANEOUS STRUCTURES PERMIT - Structures such as towers, retained walls, floating structures, parking lots, fences, etc.	\$5.00/\$1000 of estimated cost or fraction thereof	\$15.00	For all structures, devices, appurtenances, and equipment requiring permits & not otherwise provided for by this code.
MOVING OF BUILDING PERMIT			
Within City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$15.00	Estimated cost of moving building to new location plus cost of restoring previous site to a safe condition.
To outside City Limits	\$1.00/\$100 if estimated cost or fraction thereof	\$15.00	Estimated cost of moving building to city limits plus cost of restoring previous site to a safe condition.
From outside City Limits to within City Limits	\$1.00/\$100 of estimated cost or fraction thereof	\$15.00	Estimated cost of moving building from City Limits to a new site.
Foundation for building	\$5.00/\$1000 of estimated cost or fraction thereof	\$15.00	
ADDENDUM PERMIT			
Amendment which involves additional dollars in project cost.	\$5.00/\$1000 of estimated increased cost or fraction thereof	\$25.00	
Amendment which involves decrease or no increase in project cost.	\$25.00	\$25.00	
SPECIAL DEMOLITION FUND	\$2.00/\$1000 of estimated cost or fraction thereof		Special fund approved by Ordinance 62830
LEAD REMEDIATION FUND	\$2.00/\$1000 of estimated cost or fraction thereof		Special fund approved by Ordinance 64699
COST FOR APPROVING ADDITIONAL SETS OF CONSTRUCTION DOCUMENTS	\$1.00 per page		
APPLICANT REQUEST FOR CERTIFICATE OF OCCUPANCY			
Residential & 3,500 sq. ft. or less commercial	\$40.00 - Building \$20.00 - Electrical \$20.00 - Plumbing \$80.00 Total/1st Unit \$20.00/each additional unit in same structure		
Commercial over 3,500 sq. ft.	\$80.00 - Building \$40.00 - Electrical \$40.00 - Plumbing		
TEMPORARY OR PARTIAL CERTIFICATE OF OCCUPANCY	\$80.00 - Building \$40.00 - Electrical \$40.00 - Plumbing		See also section 110.6

108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

108.4 Work commencing before permit issuance. Any person who commences any work on a building, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an additional fee established by Table 108.4 that shall be in addition to the required permit fees.

Table 108.4 SCHEDULE FOR SURCHARGE FEES	
Permit fee + LRF + SDF	Surcharge Fee
\$0 TO \$50	\$30.00
\$51 TO \$200	\$90.00
\$201 TO \$500	\$240.00
\$500 TO \$2,000	\$360.00
\$2,001 TO \$10,000	\$480.00
OVER \$10,000	\$600.00

108.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

108.6 Fees non-refundable. The fee for a permit based upon an estimated cost that is higher than later claimed by the applicant shall not be a basis for refund. When construction does not occur, or only partially occurs, fees collected are not refundable.

SECTION 109 INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the code official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City of Saint Louis. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the City of Saint Louis shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the City of Saint Louis shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

The code official shall be permitted to delegate to the Department of the President, Board of Public Service, responsibility for code compliance inspections on projects within the City Limits let by the Board of Public Service or let as an Emergency Agreement. If such delegation is made, that office shall certify in writing to the code official at the completion of the project that they did inspect and believe the project to comply with the code.

109.2 Preliminary inspection. Before issuing a permit, the code official is authorized to examine or cause to be examined buildings and sites for which an application has been filed.

109.3 Required inspections. The code official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.10.

109.3.1 Footing or foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

109.3.2 Concrete slab or under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the sub floor.

109.3.3 Lowest floor elevation. For additions and substantial improvements to existing buildings in flood hazard areas, upon placement of the lowest floor, including basement, and prior to the further vertical construction, the elevation documentation required in the Building Code as amended shall be submitted to the code official.

109.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking

and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

109.3.5 Lath or gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistive assembly or a shear assembly.

109.3.6 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.3.7 Other inspections. In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Department of Public Safety.

109.3.8 Special inspections. Special inspections shall be required in accordance with the Building Code as amended.

109.3.9 Final inspection. The final inspection shall be made after all work required by the building permit is completed. All violations of the approved construction documents and permit shall be noted and the holder of the permit shall be notified of the discrepancies. The code official shall be permitted to issue a temporary or partial certificate of occupancy for a specific period of time. Failure to comply with the conditions shall cause revocation of the permit.

109.3.10 Periodic inspections. The code official shall, if deemed necessary, make or cause to be made such periodic inspections of buildings, structures, devices, appurtenances, and uses as are required by and in the intervals prescribed by Table 109.3. In order to provide a uniform workload throughout the year, the code official shall be permitted to alter the intervals between periodic inspections as required to meet staffing levels.

Exterior cantilevered balconies, stairways and fire escapes shall be inspected every three years by a registered design professional. The owner shall submit a report bearing the seal, signature and date of a registered professional engineer or architect to the code official describing the condition and safety of the exterior cantilevered balconies, stairways, and fire escapes. This shall apply to all exterior cantilevered balconies, stairways, and fire escapes on all buildings regardless of stories or height.

Table 109.3 PERIODIC INSPECTION OF STRUCTURES	
Item	Period between inspections
Cornices, Entablatures, Belt Courses, Trim and Similar Decorative Features; Maintenance repair, and safe conditions thereof (for such items projected from the face of building). See Note A.	3 years
Exterior Cantilevered Balconies, Stairways, Fire Escapes and Open Parking Structures. See Note B.	3 years

Note a. Applies to all buildings over 5 stories or 60 feet in height. Owners to submit report bearing the Seal of a Registered Professional Engineer or Architect to the code official every three years describing the condition and safety of cornices, entablatures, belt courses, etc. The code official shall waive inspection if feature does not encroach over City of Saint Louis sidewalk, street or alley.

Note b. Owners shall submit a report bearing the seal, signature and date of a registered professional engineer or architect to the code official every three years describing the condition and safety of exterior cantilevered balconies, stairways, fire escapes and Open Parking Structures.

109.4 Inspection agencies. The code official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

109.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work for any inspections that are required by this code.

109.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be

covered or concealed until authorized by the code official.

109.7 Workmanship. All work shall be conducted, installed and completed in a neat, workmanlike and acceptable manner so as to secure the results intended by this code.

SECTION 110 CERTIFICATE OF OCCUPANCY

110.1 Certificate of occupancy requirements. No person shall occupy any building, structure or premises until a certificate of occupancy has been applied for and issued by the code official. Failure to have a certificate of occupancy approved and issued by the code official is a violation, and both the occupant and owner shall be subject to a penalty, as set forth in this code. The continuation of unlawful occupancy of a building, structure or premises, or a portion thereof, contrary to the provisions of this code, shall be deemed a violation and subject to the penalties set forth in this code. Each day that a violation continues shall constitute a separate offense.

Exception: Use Group R-3 and single dwelling units of Use Group R-2 of four units or less and their accessory structures unless dictated by other ordinances or requirements.

110.1.1 Buildings hereafter altered. No building, structure or premises hereafter enlarged, extended or altered to change from one use group to another, or to a different use within the same use group, in whole or in part; or a building, structure or premises hereafter altered for which a certificate of occupancy has not been heretofore issued, shall be occupied or used until the certificate of occupancy has been issued by the code official, certifying that the work has been completed in accordance with the provisions of the approved building permit. The code official shall issue a certificate of occupancy when all the work has been completed in accordance with the approved construction documents. Any use or occupancy which was not discontinued during the alteration shall be discontinued within thirty days after the completion of the alteration, unless the required certificate of occupancy is secured from the code official.

110.1.2 Existing buildings, no change in use. Upon written request from the owner or tenant of an existing building, structure or premises, the code official shall issue a certificate of occupancy, provided there are no violations of law or orders of the code official pending, and it is established after inspection and investigation of the available records that the alleged use of the building, structure or premises has heretofore legally existed, except for high hazard and assembly uses which will require a new inspection prior to the issuance of the certificate of occupancy. This code shall not require the removal, alteration or abandonment of, or prevent the continuance of, use and occupancy of a lawfully existing building, structure or premises, unless such use is deemed to endanger public safety and welfare. All existing buildings, structures or premises, where a certificate of occupancy has not heretofore been issued, shall be required to secure a certificate of occupancy indicating the current use and occupant.

110.1.3 Existing buildings, change in use. After a change of use has been made in a building or structure, the re-establishment of a prior use that would not have been legal in a new building of the same type of construction is prohibited, unless the building complies with all applicable provisions of this code. A change from one prohibited use, for which a permit has been granted, to another prohibited use, shall be deemed a violation of this code.

110.1.4 Posting notice. It shall be the duty of the code official to post a notice on any building, structure or portion thereof when it is found that a certificate of occupancy is required before any occupancy shall be permitted to occur. This notice shall remain in plain sight and removal of same shall constitute a separate offense and shall be subject to a penalty as set forth in this code. The absence of such notice shall not be deemed evidence that the building does not require a certificate of occupancy.

110.2 Partial certificate of occupancy. Upon the written application of the owner or owner's representative, a partial certificate of occupancy shall be permitted to be issued for a building, structure or premises, provided that no conditions exist which endanger public safety, health or welfare, or prohibit accessibility. Partial certificates of occupancy shall be identified by room number or location within the structure and shall become the permanent certificate of occupancy for that area.

110.2.1 Temporary certificate of occupancy. Upon the written application of the owner or owner's representative, a temporary certificate of occupancy shall be permitted to be issued for a building, structure or premises, provided that no conditions exist which endanger public safety, health or welfare, or prohibit accessibility. Temporary certificates of occupancy shall be permitted to be subject to conditions. Temporary certificates of occupancy shall not be issued for more than six months.

110.3 Certificate of substantial completion. Upon the request of the design professional of record, the code official shall be permitted to issue a Certificate of Substantial Completion for a building, structure or premises before the entire work covered by the building permit has been completed, provided there are no conditions existing which would endanger public safety, health or welfare. Certificates of Substantial Completion shall be permitted to be subject to conditions. The owner can occupy or utilize the work or designated portion thereof for the use for which it is intended provided a partial certificate of occupancy has been applied for and issued by the code official.

110.4 Contents of the certificate of occupancy. When a building, structure or premises is entitled thereto, the code official shall issue a certificate of occupancy within a reasonable period of time. The certificate of occupancy shall certify compliance with the

provisions of this code and the purpose for which the building, structure or premises will be used. The certificate of occupancy shall specify the use group; the type of construction; and any special stipulations and conditions of the building permit. Any building, structure or premises for which a certificate of occupancy has been issued shall be permitted to be reinspected to confirm compliance with this code and the Zoning Ordinance.

110.5 By whom application is made. An application for a certificate of occupancy shall be made by the owner of record of the building, structure or premises. If a certificate of occupancy application is made by any person other than the owner of record, a notarized letter, or some other proof, must be presented granting permission from the owner of record to the applicant to apply for the certificate of occupancy for the stated use. The full names, addresses and telephone numbers of the owner, lessor and applicant shall be stated. If the building is owned by a corporation, said notarized permission letter, or other proof, shall be signed by an officer or registered agent of that corporation. If the applicant for the certificate of occupancy is a corporation, an officer, registered agent, or other responsible person of that corporation shall sign the application stating their position with said corporation.

110.6 Fee for certificate of occupancy. Fees for the issuance of a certificate of occupancy shall be as listed in Table 108.2.

There shall be no charge for the issuance of the original certificate of occupancy upon completion of construction in accordance with the building permit for new buildings or buildings hereafter altered with construction costs exceeding thirty thousand dollars. At the discretion of the code official, temporary or partial permits may be issued without fee for each additional multiple of thirty thousand dollars of total construction cost.

Multiple certificates of occupancy for buildings with a single address may be issued with the common address and a room number or location.

110.6.1 Fee for temporary or partial certificate of occupancy. When required, the fee for a temporary or partial certificate of occupancy shall be as listed in Table 108.2.

110.7 Posting of certificate of occupancy; responsibilities. It shall be the duty or responsibility of the operator of every business to display a copy of a legally issued certificate of occupancy pertaining to the actual business in effect on the premises. It shall be the duty of the Saint Louis Police Department to enforce the provisions of this section. When the code official is informed of or suspects any violation of this code, it shall be the duty of the holder of a certificate of occupancy to allow the code official to inspect the building, structure or premises, or any portion thereof. Violation of this section shall result in revocation of said certificate of occupancy, and shall be subject to penalties as set forth in this code.

110.8 Certificate of occupancy application abandonment. Certificate of occupancy applications shall be abandoned sixty days after initial application if, in the opinion of the code official, the certificate of occupancy has not been diligently pursued.

Exception: Those buildings acquired from Land Reutilization Authority, in which case said certificate of occupancy applications shall be abandoned one hundred eighty days after initial application was filed.

110.9 Revocation. The code official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until approved by the code official.

111.2 Temporary connection. The code official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

111.3 Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The code official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 112 BOARD OF BUILDING APPEALS

112.1 General. Any person aggrieved by a decision of the code official may appeal said decision to the Board of Building Appeals.

112.2 Appeals to stay proceedings; exceptions. Appeals shall stay all proceedings in furtherance of the action appealed from, unless the code official or Fire Marshal whichever shall be the case, certifies to the Board of Building Appeals, after the notice of appeal has been filed, that by reason of the facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life

or property. In addition, appeals shall not stay all proceedings when there is: unlawful occupancy; a stop work order; or construction or demolition without a permit. In such case, proceedings shall not be stayed other than by restraining order, which shall be permitted to be granted by the Board of Building Appeals on application and on notice to the code official or Fire Marshal, or by a court of competent jurisdiction.

SECTION 113 VIOLATIONS

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to grade for, excavate for, erect, construct, alter, extend, repair, remove, demolish, use or occupy any building, structure or premises, or equipment regulated by this code, or cause same to be done, in conflict with, or in violation of the provisions of this code or any decision or order of the Board of Building Appeals.

113.2 Notice of violation. The code official shall serve a notice of violation or order on the owner, as shown in the records of the City of Saint Louis Assessor's Office, or person responsible for the grading, excavating, erection, construction, alteration, extension, repair, removal, demolition, use or occupancy of a building, structure or premises in violation of the provisions of this code, or in violation of a detail statement or construction documents approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Such notice shall be permitted to be served by the United States mail. Posting of the premises shall also constitute notice. It shall be a violation of this code for any person to remove any such notice, lawfully posted pursuant to this code, unless otherwise ordered by the code official.

113.3 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the City of Saint Louis to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful use of the building, structure or premises in violation of the provisions of this code or of the order or direction made pursuant thereto.

113.4 Violation penalties. The imposition of penalties as set forth in this code shall not preclude the City Counselor of the City of Saint Louis from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct business or use of a building or structure on or about any premises.

113.5 Penalties. Any person, partnership or corporation who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or who shall install electrical work in violation of approved construction documents or directive of the code official, or of a permit or license issued under the provisions of this code, shall be subject to immediate arrest, and, upon conviction, be fined not more than five hundred dollars or by imprisonment not exceeding thirty days or both such fine and imprisonment. Each day that a violation continues shall be deemed as a separate and distinct offense.

SECTION 114 STOP WORK ORDER

114.1 Notice to owner: Upon notice from the code official that work on any building, structure or premises is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, or without permit, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the reason(s) for which the work was stopped.

114.2 Unlawful continuance. Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall, upon conviction thereof, be subject to the penalties as set forth in this code. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 115 UNSAFE BUILDINGS AND EQUIPMENT

115.1 Dangerous conditions. Whenever the code official shall find any building, structure or premises in such a condition that it presents a safety hazard, but not dangerous enough to warrant condemnation and demolition, and repair is relatively small in relation to the building as a whole, the code official shall post a sign on the premises which reads as follows:

WARNING ALL PERSONS ARE WARNED TO USE EXTREME CAUTION IN OR AROUND THESE PREMISES

Additionally, a letter shall be posted indicating those conditions in violation of this code, and a copy of said letter shall be mailed to the owner(s) of said building, structure or premises.

115.2 Service of notice. The notice to the owner(s) of the building, structure or premises found by the code official to be in violation of this code, shall be directed to the owner(s) of such building, structure or premises, as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

1. Deliver direct to owner(s).
2. Posting a copy of said notice upon the building, structure or premises.
3. Mailing a copy of said notice by regular mail, postage prepaid, direct to owner(s)' place of business or the address currently recorded in the Assessor's Office of the City of St. Louis.
4. Publication in a newspaper of general circulation in the City of Saint Louis.

115.2.1 Posting copy of notice. In case such building, structure or premises is in the occupancy of a tenant(s), in addition to the above notice, it shall be the duty of the code official to post a copy of such notice upon said building, structure or premises. It shall be a violation of this code for any person to remove any notice or copy thereof, lawfully posted pursuant to this code, unless otherwise ordered by the code official.

115.3 Dangerous, hazardous, unsanitary or unapproved plumbing, mechanical and electrical installations. The code official shall have the authority to seal out of service the items listed below, when, in the code official's opinion, any of these items are in an unsafe, hazardous or unsanitary condition, or if a Certificate of Inspection has not been issued by the code official, or if the installation was made without obtaining the necessary permit(s):

1. Plumbing equipment, fixtures, piping, devices and appurtenances covered by the Building and Plumbing Codes as amended;
2. Mechanical equipment, devices and appurtenances covered by the Building and Mechanical Codes as amended.
3. Electrical equipment, fixtures, devices, wiring and appurtenances covered by the Building and Electrical Codes as amended;

115.3.1 Notice of sealing out of service. Before sealing any device out of service, the code official, except in cases of emergency, shall serve ten calendar days written notice upon the building owner(s) or occupant(s) by United States mail, stating intention to seal the equipment out of service and the reasons therefore. Notice shall be permitted to alternately be served by posting upon, or immediately adjacent to, the device proposed to be sealed.

115.3.2 Unlawful to remove or tamper with seal. Any device sealed out of service by the code official shall be plainly marked with a sign or tag indicating such sealing, and any defacing or removal of the sign or tag, or any tampering with or removal of the seal without approval of the code official, or operation of the sealed unit, shall constitute a violation of this code and shall subject the violator to the penalties as set forth in this code.

115.4 Restoration. The building or equipment determined to be unsafe by the code official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the building, such repairs, alterations, additions or change of occupancy shall comply with the requirements of this code.

SECTION 116 EMERGENCY MEASURES

116.1 Procedure. When, in the opinion of the code official, a building, structure or premises poses an immediate or imminent danger to the public health, safety or welfare, the code official shall order the immediate evacuation and securing of said building, structure or premises, and shall be permitted to order all utilities to be disconnected without sending a notice. Each principal entrance shall be posted with a notice which reads as follows:

**DANGER
THIS PREMISES IS UNSAFE
AND HAS BEEN
CONDEMNED
ALL PERSONS ARE WARNED TO
KEEP AWAY**

Any person who refuses to leave, interferes with the evacuation of other occupants, occupies or continues any operation after the property has been posted pursuant to this section, except such person(s) who is directed to perform work to remove a violation or unsafe condition, shall be deemed in violation of this section, and it shall be the duty of the Police Department to immediately remove such person(s) from said building, structure or premises, and prevent anyone, unless approved by the code official, from re-entering the building, structure or premises until such time that the Police Department shall have been notified that the same is in a safe condition. The code official assumes no responsibility for persons entering upon said property, and said persons proceed at their own risk and assume all liability.

116.2 Temporary safeguards. When, in the opinion of the code official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, the code official shall be permitted to cause the necessary work to be done to render such building or structure or part thereof temporarily safe, whether or not the legal procedure herein described has been instituted.

116.3 Closure. When necessary for public safety, the code official shall temporarily close sidewalks, streets, buildings, structures and places adjacent to such unsafe building, structure or premises, and prohibit the same from being used.

116.3.1 Catchment enclosures. If, in the opinion of the code official, it is determined that there exists an imminent structural hazard, catchment enclosures shall be erected protecting adjoining property and the public right-of-way. The cost for such catchment enclosures shall be the responsibility of the owner of record immediately adjacent to the catchment enclosure, and the recovery of said costs will be as described in Section 116.5 of this code.

116.4 Emergency repairs; remedies. For the purpose of this section, the code official shall be permitted to employ the necessary labor and materials to perform the required work as expeditiously as possible. Further, when it is found that potable water is running inside a vacant building or structure, and the owner or the owner's representative cannot be contacted, and where severe structural or other damage can thus occur to adjacent properties, the Building Commissioner or the Health Commissioner shall be permitted to order the Water Division to cease the problem flow by whatever means the Water Division finds necessary. The Water Division shall comply with any order issued pursuant to this section.

116.5 Cost of emergency repairs or demolition. Costs incurred in the performance of emergency work shall be paid from the Treasury of the City of Saint Louis on certification of the code official. The legal counsel of the City of Saint Louis shall institute appropriate action against the owner(s) of the premises where the unsafe building or structure is or was located for the recovery of such costs plus a ten percent administrative fee. If such cost is not collected, a lien shall be requested to be placed upon the property by the Comptroller. The costs shall also be certified by the Collector of Revenue or other official collecting real estate taxes who shall cause a special tax bill against the property to be prepared and collected in the same manner and procedures as other real estate tax bills. Said special tax bill shall be deemed a personal debt against the property owner(s) and shall also be a lien on the property until paid.

116.6 Emergency demolition or removal. If, in the opinion of the code official, a building, structure, tree or premises, in whole or in part, poses an immediate and imminent danger to the public health, safety or welfare, by virtue of its condition or conditions in violation of this code, the code official shall be permitted to cause the immediate removal of said building, structure or tree without the notice set forth elsewhere in this code. Further, the code official shall have the authority to award a sole source contract for demolition of said dangerous building, structure or tree.

116.7 Demolition of party walls; responsibility. When a building or structure on one side of a party wall is demolished, the demolition contractor is required to mortar in the floor and/or roof joist pockets, and is also responsible for installing missing portions of the party wall which were not originally built. The demolition contractor shall remove any attachments to the building or structure (plaster, mortar, steps, paneling, etc.). The adjacent wall shall have an approved roofing material applied to create a coping for the wall. The demolition contractor shall also be responsible for applying an exterior sprayed-on sand and tinted cement coating or tuckpointing; these are not the responsibility of the owner of the remaining building who relies on structural support from the party wall.

SECTION 117 DEMOLITION

117.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure. Conditions of the demolition shall be as set forth in Section 110 of the Building Code as amended.

117.2 Notices and orders. All notices and orders shall comply with Section 113.

117.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

117.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

CHAPTER 2 DEFINITIONS

Change Section 201.3 to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the codes, ordinances or standards

listed in Chapter 14 of this code, such terms shall have the meanings ascribed to them as in those codes, ordinances or standards.

Add or change the following definitions in Section 202 to read as follows:

ACCESSIBLE. Describes a site, building, facility or portion thereof that complies with this code and ICC A117.1, and that can be approached, entered and used by a person with a disability.

ACCESSIBLE ROUTE. A continuous unobstructed path connecting all accessible elements and spaces in a building or facility which can be negotiated by a person with a severe disability, using a wheelchair and which is also safe for and useable by people with other disabilities. Interior accessible routes include corridors, floors, ramps, elevators, lifts and clear floor space at fixtures. Exterior accessible routes include parking, access aisles, curb ramps, walks, ramps and lifts.

ALTERATION. Any construction or renovation to an existing building or structure other than repair or addition. Alterations are classified as Level 1, Level 2 and Level 3.

BUILDING. Any structure occupied or intended for supporting or sheltering any occupancy. For application of this code, each portion of a building which is completely separated from other portions by fire walls complying with Section 707.0 of the Building Code as amended listed in Chapter 14 of this code, shall be considered as a separate building.

CHANGE OF OCCUPANCY. A change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code. Change of occupancy requirements apply both to a change in which the occupancy, or use group classification under Chapter 3 of the Building Code as amended remains the same and one in which it changes.

CODE OFFICIAL. The Building Commissioner of the City of Saint Louis, or a duly authorized representative.

DANGEROUS. See definition for Unfit Structures.

DWELLING UNIT.

Type A Dwelling Unit. A dwelling unit that is designed and constructed for accessibility in accordance with Chapter 11 of the Building Code as amended & Section 1002 of the ICC/ANSI A117.1-1998 *Accessible and Usable Buildings and Facilities*. A Type A, accessible dwelling unit has all required knee and toe clearances, clear floor space requirements, door openings, turning radius, approaches, accessible routes, grab bars and accessible hardware installed.

Type B Dwelling Unit. A dwelling unit that is designed and constructed for accessibility in accordance with Chapter 11 of the Building Code as amended and Section 1003 ICC/ANSI A117.1-1998 *Accessible and Usable Buildings and Facilities* and is intended to be consistent with technical requirements for fair housing required by Federal law. Dwelling units required to be Type B shall be permitted to be designed and constructed as Type A units. A Type B dwelling unit has all required knee and toe clearances, clear floor space requirements, door openings, turning radius, approaches, accessible routes. Blocking for grab bars in the bathroom is installed. Kitchen cabinets can be installed under the sink. Grab bars are installed and kitchen cabinets are removed for a person with a disability, buying or renting the unit.

FACILITY. All or any portion of a building, structure or area, including the site on which the building, structure or area is located, wherein specific services are provided or activities are performed.

FLOOD HAZARD AREA. Areas which have been determined to be prone to flooding in accordance with Chapter 31 of the Building Code as amended.

HIGH RISE. All buildings having occupied floors located more than 75 feet (22860 mm) above the lowest level of fire department vehicle access. This term shall not apply to structures that are not buildings.

REPAIR. The restoration to good or sound condition any part of an existing building for the purpose of its maintenance. Repair work shall not include the cutting away of any wall, partition or portion thereof; the removal or cutting away of any structural beam or loadbearing support; or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

STRUCTURE. That which is built or constructed or a portion thereof.

STRUCTURE, EXISTING. A structure erected prior to the legal date of adoption of the appropriate code or one for which a legal building permit has been issued.

UNFIT BUILDINGS AND STRUCTURES. All buildings and structures having one or more of the following defects:

1. The building or structure is in a condition which endangers either the lives or safety of persons, whether occupants or otherwise, or other property;

2. The condition of the building or structure by reason of the making of an excavation on the lot on which it is located, or any adjoining lot, endangers either the lives or safety of persons, whether occupants or otherwise, or other property;
3. The building, structure or premises is a fire hazard for any reason, including without limitation: obsolescence, dilapidation, deterioration, damage, lack of sufficient fire-resisting qualities, poor sanitation, or faulty electrical wiring, gas connections or heating apparatus;
4. The building or structure lacks safe or adequate facilities for means of egress in case of fire or panic;
5. The building or structure has any one or more of the following conditions:
 - A. Improperly distributed loads upon the floors or roof;
 - B. Overloaded floors or roofs;
 - C. Insufficient strength to be reasonably safe for its actual or intended use;
6. Any portion of the building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, that the building or structure is no longer safe or suitable for its actual or intended use;
7. Any interior or exterior portion, member, appurtenance, ornamentation or any other component of the building or structure is likely to fall or collapse, or become detached or dislodged, and thereby injure persons or damage property;
8. Any portion of the building or structure has racked, warped, buckled or settled to such an extent that its walls or other structural portions have insufficient resistance to fire, earthquake, wind, flood or similar perils;
9. Part or all of the building or structure is in danger of collapsing for any reason;
10. The building or structure has exterior walls or other vertical structural members which list, lean or buckle;
11. The building, structure or premises, or any portion thereof is, for any reason, unsafe for its actual or intended use;
12. The building or structure has been so damaged by fire, earthquake, wind, flood, vandalism, malicious mischief, or any other cause, or has become so dilapidated, deteriorated or decayed as to come within any one or more of the following categories:
 - A. The building or structure will attract and result in harm to children;
 - B. The building or structure is, or is likely to become, a harbor for vagrants, criminals or immoral persons;
 - C. The building or structure enables persons to resort thereto for the purpose of committing unlawful or immoral acts;
13. The building, structure or premises has been constructed, exists, or is being maintained in violation of any provisions of this code, or of any law of the City of Saint Louis;
14. The building or structure does not have the strength, fire-resisting qualities or weather-resisting qualities required by this code for newly constructed buildings of like area, height and occupancy;
15. The building, structure, or premises is used or intended to be used for purposes that are likely to injure the health, safety or welfare of persons who occupy or could occupy said building or structure by reason of any one or more of the following conditions:
 - A. Inadequate maintenance, dilapidation, deterioration, decay or damage;
 - B. Faulty construction;
 - C. Inadequate light, ventilation or sanitation facilities;
 - D. The building, structure or premises is being used for any illegal purposes;
16. Any portion of the building or structure has been left remaining on a site after its demolition or destruction;
17. The building or structure is vacant for a period in excess of six months, and because of its condition, it is unsafe or unsanitary, or it endangers property or the health, morals, safety or welfare of persons;
18. A building or structure is subject to demolition if the building or structure is vacant and has been ordered secured or has been secured by order of the code official for a period in excess of twelve months and has been condemned for occupancy or has been used in the commission of a crime subsequent to being ordered secured or being secured.

19. The building or structure is only partly constructed and construction has stopped for a period in excess of six months, and because of its condition, affects the health, safety and welfare of the adjacent properties.

USE GROUP. The classification of occupancy within a building or structure in accordance with the Building Code as amended.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

WORKMANSHIP. Work executed in a skilled manner by an individual to impart quality to anything in the process of being made, produced, constructed, altered, repaired, installed or assembled.

Change Chapter 3 to read as follows:

CHAPTER 3 CLASSIFICATION OF WORK

SECTION 301 GENERAL

301.1 Scope. The work performed on an existing building shall be classified in accordance with this chapter.

301.2 Work area. The work area, as defined in Chapter 2, shall be identified on the construction documents.

301.3 Compliance alternatives. The provisions of Chapters 4 through 10 are not applicable where the building complies with Chapter 12.

301.4 Occupancy and use. When determining the appropriate application of the referenced sections of this code, the occupancy and use of a building shall be determined in accordance with the Building Code as amended.

SECTION 302 REPAIRS

302.1 Scope. Repairs, as defined in Chapter 2, include the patching, restoration, or minor replacement of materials, elements, component, equipment or fixtures for the purpose of maintaining such materials, elements, components, equipment or fixtures in good or sound condition. It involves restoration to a good and sound condition of materials, systems and/or components that are worn, deteriorated or broken using materials or components identical to or closely similar to the existing.

Repair work shall not include:

1. The cutting away of any wall, partition, or portion thereof;
2. The permanent, partial or complete removal of any primary structural component;
3. The removal or rearrangement of any part of a required means of egress, or rearrangement of parts of a structure affecting the egress requirements;
4. The addition to, alteration or relocation of any fire protection piping; water supply, sewer, drainage, gas, oil, waste, vent, or similar piping; electrical wiring, other than wiring for a low voltage communications system in an R-3 Use Group; Mechanical system components such as ductwork; Elevator devices.
5. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live loads and shall not cause deflection that exceeds standards.
6. Existing fire alarm, fire suppression and standpipe systems removal without replacement.

The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit.

302.2 Application. Repairs shall comply with the provisions of Chapter 4.

SECTION 303 ALTERATION - LEVEL 1 (Renovation)

303.1 Scope. Level 1 alterations include the removal and replacement, or the covering of existing materials, elements, components, equipment or fixtures using new materials, elements, components, equipment or fixtures that serve the same purpose and do not change the configuration of the space or diminish the existing fire resistance rating or change the use or occupancy of the existing building.

This category is for work that is generally restorative in nature such as the replacement of trim, doors, interior finish, or equipment, but involves the use of different materials. There is no reconfiguration of space. It shall include the replacement of equipment or fixtures, but this shall not increase loads on these systems unless these systems are upgraded to accommodate the increased load.

It also means the change, strengthening, or addition of load-bearing elements, or the refinishing, replacement, bracing, strengthening, upgrading, or extensive repair of existing materials, elements, components, equipment or fixtures, or all of these.

Level 1 alterations cannot diminish existing structural strength, system capacity or mechanical ventilation below that existing at time of application.

303.2 Application. Level 1 alterations shall comply with the provisions of Chapter 5.

SECTION 304 ALTERATION - LEVEL 2 (Alteration/Modification)

304.1 Scope. Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration, change in ceiling height, or the reconfiguration or extension of any system, or the installation of any additional equipment.

This level involves a change in the layout of interior spaces while other portions of the space remain without arrangement. It involves the construction of walls or partitions, the installation of any additional component, the installation of any additional equipment or fixtures, and any work which affects a primary structural component.

In Level 2 alterations, the work being done cannot make the building less conforming than it was before the work was undertaken.

304.2 Application. Level 2 alterations shall comply the provisions of Chapter 5 for Level 1 alterations as well as the provisions of Chapter 6.

SECTION 305 ALTERATION - LEVEL 3 (Reconstruction)

305.1 Scope. Level 3 alterations apply where the work area exceeds fifty percent of the aggregate area of the building.

This category involves extensive work to the interior of a building, floor, or tenant space. It can be looked as any project where the extent and nature of the work is such that a work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be re-occupied. A Level 3 alteration has a delineated work area. It involves an entire use, primary function space, or tenancy.

The reconfiguration of a space which affects an exit or element of egress access shared by more than a single occupant is a Level 3 alteration. Some life safety improvements are extended to an entire floor when the work area intended by the building owner exceeds 50 percent of the area of the floor, for example sprinklers. The requirements extend beyond the floor when the intended work involves over 50 percent of the floor area of the building.

Level 3 alterations do not include projects comprised only of floor finish replacement, painting or wall-papering, or the replacement of equipment or furnishings.

Asbestos hazard replacement and lead hazard abatement projects are not classified as Level 3 alterations although occupancy of the work area is not permitted.

305.2 Application. Level 3 alterations shall comply with the provisions of Chapter 5 and 6 for Level 1 and 2 alterations, respectively, as well as the provisions of Chapter 7.

SECTION 306 CHANGE OF OCCUPANCY

306.1 Scope. Change of Occupancy provisions apply where the activity is classified as a change of occupancy as defined in Chapter 2.

A Change of Occupancy means a change in the purpose or level of activity within a building that involves a change in the application of the requirements of the Building Code. Change of Occupancy requirements apply both to a change in which the occupancy, or use group classification under Chapter 3 of the Building Code as amended remains the same and one in which it changes.

The change in the use of a space in a building may not require that the entire building undergo a change of use group, but

it may mean that the change in the way the space is used may require one of the technical requirements. For example, the plumbing code as amended may require additional toilet fixtures, the electrical code as amended may require ground fault circuit interrupters, or the mechanical code as amended may require an upgrade of the Heating, Ventilation and Air Conditioning (HVAC).

306.2 Application. Changes of occupancy shall comply the provisions of Chapter 8.

SECTION 307 ADDITIONS

307.1 Scope. Provisions for additions shall apply where work is classified an addition as defined in Chapter 2.

An addition means an increase in building area, aggregate floor area, height , or number of stories in a building.

Additions are required to comply with all requirements for new construction. The work in the existing building which is related to the addition, must comply with this code, where such work is undertaken.

307.2 Application. Additions to existing buildings shall comply the provisions of Chapter 9.

SECTION 308 HISTORIC BUILDINGS

308.1 Scope. Historic buildings provisions shall apply to buildings classified as historic as defined in Chapter 2.

A historic building means a building or structure that is: listed or eligible for listing in the National Register of Historic Places; designated as a Historic Building under local law; or, certified as a contributing resource within a National Register-listed or locally designated Historic District.

This code allows the use of replica materials, establishes provisions for historic buildings used as historic museums, allows building elements that may meet relaxed code requirements in order to preserve the historic value and integrity of a historic building.

308.2 Application. Except as specifically provided for in Chapter 10, historic buildings shall comply with applicable provisions of this code for the type of work being performed.

SECTION 309 RELOCATED BUILDINGS

309.1 Scope. Relocated buildings provisions shall comply to relocated or moved buildings.

309.2 Application. Relocated buildings shall comply with the provisions of Chapter 11.

CHAPTER 4 REPAIRS

Change Section 401.4 to read as follows:

401.4 Flood hazard areas. In flood hazard areas, repairs that constitute substantial improvement as defined in Chapter 2 of this code, shall require that the building comply with the Building Code as amended.

Change Section 402.1 to read as follows:

402.1 General. Repair of buildings, classified as special use or occupancy as described in the Building Code as amended, shall comply with the requirements of this chapter.

Change Section 403.2 to read as follows:

403.2 Glazing in hazardous locations. Replacement glazing in hazardous locations shall comply with the Safety Glazing requirements of the Building Code as amended as applicable:

Exception: Glass block walls, louvered windows and jalousies repaired with like materials.

Change Section 406.1 to read as follows:

406.1 General. Repairs shall be done in a manner that maintains the level of accessibility provided. No work shall be permitted which diminishes accessibility for people with disabilities.

Change Sections 407.1.1 thru 407.1.1.3 to read as follows:

407.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall

be based upon the assumed forces related to the response of the structure to earthquake motions.

407.1.1.1 Evaluation and design procedures. The seismic evaluation and design of an existing building shall be based upon the procedures specified in the Building Code as amended, Appendix A of this code (GSREB), ASCE 31 , or FEMA 356.

407.1.1.2 Building code level seismic forces. When seismic forces are required to meet the Building Code level, they shall be based upon one hundred percent of the values in the Building Code as amended or FEMA 356. Where FEMA 356 is used, the FEMA 356 Basic Safety Objective (BSO) shall be used for buildings in Seismic Use Group I. For Buildings in other Seismic Use Groups the applicable FEMA 356 performance levels shown in Table 407.1.1.2 for BSE-1 and BSE-2 Earthquake Hazard Levels shall be used.

407.1.1.3 Reduced Building code level seismic forces. When seismic forces are permitted to meet reduced Building Code levels, they shall be based upon 75% of the assumed forces prescribed in the Building Code as amended, applicable chapters in Appendix A of this code (GSREB), the applicable performance level of ASCE 31 as shown in Table 407.1.1.2, or the applicable performance level for the BSE-1 Earthquake Hazard Level of FEMA 356 shown in Table 407.1.1.2.

Table 407.1.1.2 SEISMIC USE GROUP EQUIVALENTS TO FEMA 356 AND ASCE 31 PERFORMANCE LEVELS		
SEISMIC USE GROUP	PERFORMANCE LEVELS OF ASCE 31 AND FEMA 356 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVELS OF FEMA 356 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life Safety (LS)	Collapse Prevention (CP)
II	Note 2	Notes 2
III	Immediate Occupancy (IO)	Life Safety (LS)
IV	Life Safety (LS)	Collapse Prevention (CP)

Notes:

- a. The charging provisions for Seismic Use Group equivalents to ASCE 31 and FEMA 356 BSE-1 for Reduced Building Code level seismic forces are in Section 407.1.1.3.
- b. Performance values for Seismic Use Group II shall be taken as half way between the performance levels specified for Seismic Use Group I and IV

Change Section 407.1.2 to read as follows:

407.1.2 Wind design. Wind design of existing buildings shall be based upon the procedures specified in the Building Code as amended as applicable.

Change Section 407.2 to read as follows:

407.2 Reduction of strength. Repairs shall not reduce the structural strength or stability of the building, structure or any individual member thereof.

Exception: Such reduction shall be allowed provided the capacity is not reduced to below the Building Code levels.

Change Section 407.3.1 to read as follows:

407.3.1 New structural frame members. New structural frame members, used in the repair of damaged buildings, including anchorage and connections, shall comply with the Building Code as amended.

Exception: For the design of new structural frame members connected to existing frame members, the use of reduced Building Code level seismic forces as specified in Section 407.1.1.3 shall be permitted.

Change Section 407.3.2.1.1 to read as follows:

407.3.2.1.1 Extent of repair. The evaluation and analysis shall demonstrate that the building once repaired complies with the wind and seismic provisions of the Building Code as amended.

Exception: The seismic design level for the repair design shall be the higher of the Building Code

as amended in effect at the time of original construction and reduced Building Code level seismic forces as specified in Section 407.1.1.3.

Change Section 407.3.4 to read as follows:

407.3.4 Other uncovered structural elements. Where in the course of conducting repairs, other uncovered structural elements are found to be unsound or otherwise structurally deficient, such elements shall be made to conform to the wind and seismic provisions of the Building Code as amended .

Change Section 407.3.5 to read as follows:

407.3.5 Flood hazard areas. In flood hazard areas, damaged buildings that sustain substantial damage shall be brought into compliance with Building Code as amended Section 1612.

Change Section 408.1 to read as follows:

408.1 Electrical repairs. Minor repairs or replacement of any existing electrical system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Minor repairs or replacement for purposes of this code shall be defined as:

1. Replacement of a convenience outlet (replacement shall comply with the electric code as amended);
2. Light switch with the same current carrying capacity as the existing switch (replacement shall comply with the electric code as amended).
3. Light socket and holder (replacement shall comply with the current electric code as amended),
4. Light fixture (1 maximum) installed on the same outlet box and having the same current rating (replacement shall comply with the electric code as amended);
5. Within a dwelling unit, a fan, blower, pump or other fractional horsepower motor of the same horsepower rating and having the same electrical characteristics and current rating as the existing, limited to 120-240 volts (replacement shall comply with the electric code as amended); or
6. The replacement of fuses or circuit breakers (except mains) where there is no evidence of over-fusing or tampering per applicable requirements of the electric code as amended.

Add Sections 408.2 thru 408.3 to read as follows:

408.2 Minimum standards for electrical equipment, wiring and appliances. In all buildings and premises the entire building or premise must meet the minimum electrical standards as set forth in this section.

408.2.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section.

408.2.2 Service. Dwelling units shall be served by an electrical service having a rating of not less than 60 amperes. When the electrical system requires modification to correct inadequate service, the service shall be corrected to a minimum of 100-ampere, three wire electrical service. If the dwelling contains an electric range, electric clothes dryer or electric air conditioning unit, a minimum 100-ampere, three wire electrical service shall be provided.

408.2.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

408.2.4 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

408.2.5 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one receptacle that shall be Ground Fault Circuit Interrupter protected. Every kitchen shall contain at least two 20-ampere grounded appliance branch circuits.

408.2.6 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, boiler room and furnace room shall contain at least one electric lighting fixture. All habitable spaces shall contain at least one switched lighting fixture or switched receptacle.

408.2.7 Utility rooms and basements. At least one lighting outlet and one receptacle shall be provided in utility rooms

and basements where these spaces are used for storage or contain equipment requiring service.

408.2.8 Clearance for equipment. Clearance for electrical service equipment shall be provided in accordance with the Electrical Code as amended.

408.3 Abandoned electrical and/or communications systems. All abandoned electrical and/or communications systems shall be removed.

Change Section 409 to read as follows:

SECTION 409 MECHANICAL

409.1 Mechanical repairs. Minor repairs or replacement of any existing mechanical system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved.

409.2 Minimum standards for mechanical equipment and appliances. In all buildings and premises the entire building or premise must meet the minimum mechanical standards as set forth in this section.

409.3 Minimum standards for mechanical equipment and appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

409.4 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

409.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

409.6 Clearances. All required clearances to combustible materials shall be maintained.

409.7 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

409.8 Free-standing stoves. All free-standing stoves with doors or drawers shall be equipped with an anti-tip device.

409.9 Water accumulation/damage. Mechanical appliances, mechanical equipment and ductwork shall show no signs of water accumulation or damage. When signs of water accumulation or damage are evident, those areas are to be examined by a registered design professional and a detailed report on recommended repairs and prevention methods is to be made to the code official. If the recommended repairs are approved by the code official, the owner or the owner's agent shall have the recommended repairs performed in a timely manner.

409.10 Air filters. All air handling units that condition air shall be equipped with air filters.

409.11 Thermostat. All space heating and/or air conditioning units shall be controlled by a thermostat.

409.12 Commercial food heat-processing equipment. All commercial food heat-processing appliances, equipment, hoods, ducts and exhaust systems shall comply with this section.

409.12.1 Hood system required. Each existing commercial cooking appliance and domestic cooking appliance utilized for commercial purposes that produce smoke or grease vapors shall be protected with an approved Type I commercial kitchen exhaust hood and duct system.

Exceptions:

1. Cooking appliances located within a dwelling unit and not utilized for commercial purposes;
2. Completely enclosed ovens;
3. Steam tables;
4. Auxiliary cooking equipment that does not produce grease-laden vapors, including toasters, coffee makers and egg cookers; and
5. Portable equipment as defined in the mechanical code as amended.

409.12.2 Hood system suppression. Each commercial kitchen exhaust hood and duct system required by Section 409.12.1

shall be protected with an approved automatic fire suppression system installed in accordance with the mechanical code as amended. A portable fire extinguisher shall be installed within 30 feet of the hood.

409.12.3 Maintenance. Commercial kitchen exhaust systems shall be cleaned to remove deposits of residue and grease in the system at intervals specified in the cleaning schedule required to be submitted in accordance with the mechanical code as amended. Thorough cleaning of ducts, hoods and fans shall require scraping, brushing or other positive cleaning methods.

409.12.4 Cleaning schedule. Where a cleaning schedule is not on file, the code official shall require a schedule to be submitted, indicating the method of cleaning and the time intervals between cleanings.

409.12.5 Leaks. Venting equipment for commercial food heat processing equipment shall not leak.

409.12.6 Capture test. Venting equipment for commercial food heat processing equipment shall pass a capture test.

409.12.7 Exhaust. Venting equipment for commercial food heat processing equipment shall not exhaust in a dangerous manner or where a nuisance. (i.e., less than 2 feet above the roof surface, within 10 feet of unprotected combustible materials, onto a walkway or driveway), or where the exhaust may re-enter the building through an intake or opening within 10 feet.

Change Section 410 to read as follows:

SECTION 410 PLUMBING

410.1 Plumbing repairs. Minor repairs or replacement of any existing plumbing system are permitted to be made in the same manner and arrangement as in the existing system, provided such repairs or replacement are made in a safe manner and are approved. Lead water lines may not be repaired.

410.2 Minimum standards for plumbing equipment, piping and appliances. In all buildings and premises the entire building or premise must meet the minimum plumbing standards as set forth in this section.

410.3 Minimum required plumbing facilities. The minimum number of plumbing facilities shall be as described in this section.

410.3.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

410.3.2 Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

410.3.3 Hotels. Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each five occupants, but not less than one for every four sleeping units.

410.3.4 Employees' facilities. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

410.3.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

410.4 Minimum standards for toilet rooms. The minimum standards for toilet rooms shall be as described in this section.

410.4.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

410.4.1.1 Partitions. Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room, partitions, enclosures or compartments for privacy between water closets and shall comply with fixture clearance requirements of the plumbing code as amended for such installations.

410.4.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

410.4.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' regular working area. The required toilet facilities shall be located not more than one story above or below the employees' regular

working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or public customer facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

410.5 Plumbing systems and fixtures. Minimum standards for plumbing systems and fixtures shall be as described in this section.

410.5.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

410.5.2 Fixture clearance. Plumbing fixtures shall have adequate clearances for usage and cleaning.

410.5.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate water supply, leaking water supply service line, inadequate drainage, inadequate venting, cross connection, backsiphonage, improper installation, accumulation of sewage, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

410.6 Water system. Minimum standards for the water system shall be as described in this section.

410.6.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the plumbing code as amended.

410.6.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures in commercial buildings and in residential buildings of over six families shall be located above the flood-level rim of the fixture. All water inlets for plumbing fixtures in residential buildings of six families or less shall be located above the overflow of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

410.6.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

410.6.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 120°F (49°C). A fuel-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

410.7 Sanitary drainage system. Minimum standards for the sanitary drainage system shall be as described in this section.

410.7.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

410.7.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

410.8 Storm drainage. Minimum standards for storm drainage shall be as described in this section.

410.8.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that adversely affects adjacent property or creates a public nuisance.

410.8.2 Gutters and downspouts. All gutters and downspouts shall be maintained so as to function properly and shall be sewer connected where existing drain connections are provided. Garages, room additions, primary and accessory structures with a room watershed of less than five hundred fifty square feet need not be sewer connected.

410.9 Materials. The following plumbing materials and supplies shall not be used:

1. All purpose solvent cement, excluding transition glues;
2. Flexible traps and tailpieces;

3. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S 17 gauge (0.045 inch); and
4. Solder having more than 0.2% lead in the repair of potable water systems.
5. Water closets having a concealed trap seal or an unventilated space or having walls that are not thoroughly washed at each discharge in accordance with ASTM 112.19.2.
6. The following types of joints shall be prohibited:
 - 6.1 Cement or concrete joints.
 - 6.2 Mastic or hot-pour bituminous joints.
 - 6.3 Joints made with fittings not approved for the specific installation.
 - 6.4 Joints between different diameter pipes made with elasto-meric rolling "O"-rings.
 - 6.5 Solvent-cement joints between different types of plastic pipe.
 - 6.6 Saddle-type fittings unless they receive prior approval from the Plumbing Section.

410.10 Lead water service lines. Lead water service lines shall not be repaired.

CHAPTER 5 ALTERATIONS - LEVEL 1 (Renovations)

Change Sections 501.2 thru 501.3 to read as follows:

501.2 Conformance. An existing building or portion thereof shall not be altered such that the building becomes less safe than its existing condition.

Exception: Where the current level of safety or sanitation is proposed to be reduced, the portion altered shall conform to the requirements of the Building Code as amended.

501.2.1 Repair compliance. In addition to the requirements of this chapter, all work shall comply with the requirements of Chapter 4.

501.3 Flood hazard areas. In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Building Code as amended Section 1612.

Change Section 502.1 to read as follows:

502.1 General. Alteration of buildings, classified as special use and occupancy as described in the Building Code as amended, shall comply with the requirements of Section 501.1 and the scoping provisions of Chapter 1 where applicable.

Change Section 502.1 thru 503.3 to read as follows:

503.1 Interior finishes. All newly installed interior finishes shall comply with the flame spread requirements of the Building Code as amended.

503.2 Carpeting. New carpeting used as an interior floor finish material shall comply with the radiant flux requirements of the Building Code as amended.

503.3 Materials and methods: All new work shall comply with materials and methods requirements in the Building Code, Mechanical Code, Plumbing Code, and Electrical Code as amended as applicable, that specify material standards, detail of installation and connection, joints, penetrations and continuity of any element, component or system in the building.

Change Section 504.1 to read as follows:

504.1 Smoke detectors in Group R and I-1 occupancies. In buildings of Use Groups R and I-1, newly installed smoke detectors shall be of an approved type only.

Add Sections 505.2 and 505.3 to read as follows:

505.2 Alternate to Second Stair. An existing building shall be allowed to have a single stair provided it complies with all of the following conditions:

1. The entire building shall be fully sprinklered.
2. All floors shall be 10,000 square feet (950 m²) or less.
3. The window sill height on the top floor shall be 100 feet (30.4 m) or less from the lowest level of fire department vehicle access.
4. Public corridors shall have a 2 hour fire rated construction. The corridors shall be in a straight line with no turns.
5. The entire building shall have a hardwired smoke detection system with manual pull stations.
6. Use groups above the fifth floor shall be limited to B, M, R, S-1 and S-2. No Use Group H occupancies shall be allowed in the building.
7. Atriums and communicating stairs shall not be permitted in the building.
8. The stair enclosure shall be a minimum 2 hour fire rated construction, pressurized and have a standpipe with hose connections at each floor. The stair shall be constructed of steel, steel pan, concrete or other non-combustible construction as approved by the code official.
9. All public corridors shall have emergency and exit lighting.
10. The stairs shall discharge directly to the exterior or be connected to an exterior exit by a 2 hour fire rated corridor enclosure.
11. The basement shall have two means of egress if used for any purpose other than mechanical equipment or storage.

505.3 Dual exits over two stories. All habitable buildings over two stories in height containing one or more dwelling units above the second floor shall provide two separate exits from each floor above the second floor, accessible to each dwelling unit on said floor. All required exit facilities shall lead to a public thoroughfare either directly or through a court or yard, and passage to such exits shall not lead through any other dwelling unit. Dual means of exit shall consist of two interior stairs discharging directly or through a rated exit enclosure to the outside, or one interior and one exterior stair or existing fire escape accessible to all dwelling units on each floor above the second floor and discharging directly or through a court or yard to a public thoroughfare.

Exceptions:

1. Buildings permitted to have only one means of egress under the building code as amended.
2. Single Family Dwelling Units of Use Group R-3, two and one-half or three stories in height, of Type 3 (exterior masonry) construction, shall be exempt from the requirements for two exits.
3. A single exit shall be permitted from townhouse dwelling units located on the second and third floors, in buildings of Type 3 (exterior masonry) construction, provided that the exit is from the second floor, with a minimum of forty percent of the habitable space located on the second floor, and all of the following requirements are met:
 - a. Horizontal and vertical fire separation assemblies based on the Use Group classification between the first and second floor as determined under the current building code as amended. A horizontal fire separation is not required between a first floor commercial space and dwelling units above provided that an AC powered battery back-up interconnected smoke detection system is installed in the commercial space and basement with remote alarms in all dwelling units above or in the common stair and hall if audible within all dwelling units.
 - b. The building is limited to a maximum of six dwelling units and three stories in height.
 - c. An AC powered battery back-up interconnected smoke detection system is installed for each dwelling unit throughout the building including the basement. The location of the smoke detectors shall be sufficient to detect smoke in any habitable room or basement.

Change Section 506.1 to read as follows:

506.1 Accessibility. A building, facility or element that is altered shall comply with the applicable provisions in Chapter 11 of the Building Code, Sections 506.1.1 thru 506.1.5 within this code and ICC/ANSI A117.1, unless technically infeasible. Where compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent technically feasible.

No renovation work shall be undertaken that diminishes accessibility for people with disabilities. Where toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with CABO/ANSI A117.1-1998 shall

be created provided that this can be accomplished without moving fixtures. Replacement of doors, bathroom fixtures or hardware in non-residential shall be accessible. Vertical platform lifts can be used to achieve vertical accessibility.

Exceptions:

1. The altered element or space is not required to be on an accessible route, unless required by Section 506.2.
2. Accessible means of egress required by Chapter 10 of the Building Code as amended are not required to be provided in existing buildings and facilities.
3. Type B dwelling units required by Section 1107.4 of the Building Code as amended are not required to be provided in existing buildings and facilities.

Change Section 506.1.4 to read as follows:

506.1.4 Ramps. Where steeper slopes than allowed by the Building Code as amended are necessitated by space limitations, the slope of ramps in or providing access to existing buildings or facilities shall comply with Table 506.1.4.

Table 506.1.4 RAMPS	
SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

Add Section 506.1.8 to read as follows:

506.1.8 Dwelling or sleeping units. Where I-1, I-2, I-3, R-1, R-2, or R-4 dwelling or sleeping units are being altered, the requirements of the Building Code as amended for accessibility or Type A units and Chapter 9 of the Building Code as amended for accessible alarms apply only to the quantity of the spaces being altered.

Add Sections 506.3 thru 506.5 to read as follows:

506.3 Encroachment of doors into wheelchair turning spaces. Encroachment of doors and/or door swing into the required circular or T-shaped wheelchair turning space shall be prohibited.

506.4 Resolving issues of accessible design solutions. Unresolved design issues related to accessibility shall be resolved by the Commissioner on the Disabled. A letter of agreement shall be drafted by the Commissioner on the Disabled to the design professional outlining the accessibility requirements. The building permit shall be issued contingent upon compliance with the letter of agreement.

506.5 Technically infeasible. In order to request a waiver from the accessibility requirements of this code, the property owner or design professional shall submit a request, in writing, outlining the specific reasons for that request. Accessibility requirements shall be permitted to be granted if any or all of the following conditions exist:

1. It is technically infeasible to achieve accessibility. This term means that there is little likelihood that an alteration can be accomplished because of the existing structural conditions require the removal or alteration of a loadbearing member that is essential to the structural frame, or because of existing site constraints or physical constraints that prohibit achieving accessibility.
2. The type of business or work being performed at the property, i.e. Physically demanding or requiring a high level of strength and physical mobility, cannot reasonably be performed by a person with a mobility impairment.
3. In an existing multi-floor building with two or more floors above grade, where the functions on the second or other floors are identical to all the functions of the first floor, vertical accessibility can be waived if the first floor is totally accessible.

The Commissioner on the Disabled shall review this request. The Commissioner on the Disabled shall consult the building inspector, plans examiner or other Building Division staff about the property. A recommendation on the request shall be made by the Commissioner on the Disabled to the Building Commissioner. The Commissioner on the Disabled and the Building Commissioner shall agree to grant or deny the request for a waiver.

The property owner or design professional shall then be informed of the decision in writing by the Commissioner on the Disabled. This decision shall not be subject to appeal to the Board of Building Appeals.

Change Sections 507.2.1 and 507.2.2 to read as follows:

507.2.1 Replacement of roofing or equipment. Where replacement of roofing or equipment results in additional dead loads, structural components supporting such re-roofing or equipment shall comply with the vertical load requirements of the Building Code as amended.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings constructed in accordance with the conventional construction methods of the Building Code as amended and where the additional dead load from the equipment is not increased by more than 5 percent.

507.2.2 Parapet bracing and wall anchors for reroof permits. Unreinforced masonry bearing wall buildings classified as Seismic Design Category D, E or F shall have parapet bracing and wall anchors installed at the roof line whenever a re-roofing permit is issued. Such parapet bracing and wall anchors shall be designed in accordance with the reduced building code level seismic forces as specified in Section 407.1.1.3 and design procedures of Section 407.1.1.1.

Add Sections 508 to 510 to read as follows:

**SECTION 508
ELECTRICAL**

508.1 Electrical materials and methods. Alterations of any kind shall not diminish the building's existing structural strength, the integrity of existing electrical systems below that which legally exists at the time of the permit application or that which is required by the Electrical Code as amended, whichever is less.

New electrical wiring and new electrical equipment shall meet the requirements of the Electrical Code as amended.

The replacement or addition of fixtures, equipment or appliances shall not increase loads on the electrical service unless the service is upgraded in accordance with the Electrical Code as amended to accommodate the increased load.

**SECTION 509
MECHANICAL**

509.1 Mechanical materials and methods. Alterations of any kind shall not diminish the building's existing structural strength, system capacity or mechanical ventilation below that which legally exists at the time of permit application or that which is required by the mechanical code as amended, whichever is less, except as otherwise required by this section.

509.1.1 General regulations. The General Regulations requirements of the mechanical code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

Exception: The electrical requirements of Sections 306.3.1, 306.4.1 and 306.5.3 of the International Mechanical Code as amended shall only be applied to new or replacement equipment.

509.1.2 Ventilation. The Ventilation requirements of the mechanical code as amended shall be followed for all new equipment in the area undergoing alterations of any kind. Mechanical ventilation shall be required of all bathrooms, smoking lounges, toilet rooms, locker rooms, dressing rooms and garages as required by the current mechanical code as amended for all areas undergoing alterations of any kind.

Exceptions:

1. Existing mechanical equipment shall not be required to provide more ventilation than that which legally exists at the time of permit application, or
2. Bathrooms and toilet rooms in private dwellings that have natural ventilation.

509.1.3 Duct systems. The Duct Systems requirements of the mechanical code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

Exception: Section 602 of the International Mechanical Code as amended shall apply only to newly-constructed plenums. Modifications to existing legally installed plenums, such as installation of new building, electrical or plumbing materials inside the plenum, increasing air flow rate within the plenum, etc. shall not require the plenum to comply with the construction requirements for new plenums. However, newly-installed materials within the plenum shall be consistent with the material requirements of Section 602.

509.1.4 Fuel oil piping and storage. The Fuel Oil Piping and Storage requirements of the mechanical code as amended

shall be followed for all new equipment in the area undergoing alterations of any kind.

Exception: Section 1305.1 of the International Mechanical Code as amended shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the existing mechanical code as amended. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the existing mechanical code minimums.

509.2 Fuel gas materials and methods. Alterations of any kind shall not diminish the buildings existing structural strength, system capacity or mechanical ventilation below that which legally exists at the time of permit application or that which is required by the current Fuel Gas code as amended, whichever is less, except as otherwise required by this section.

509.2.1 General regulations. The General Regulations requirements of the current Fuel Gas code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

Exception: The electrical requirements of Sections 306.3.1, 306.4.1 and 306.5.2 of the International Fuel Gas Code shall only be applied to new or replacement equipment.

509.2.2 Gas piping installations. The Gas Piping Installations requirements of the Fuel Gas code as amended shall be followed for all new equipment in the area undergoing alterations of any kind.

Exception: Sections 401.8 and 402.3 shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the Fuel Gas code as amended. Existing systems lawfully in existence that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the Fuel Gas code as amended minimums.

509.3 New mechanical appliances and new mechanical equipment. New mechanical appliances and new mechanical equipment shall meet the requirements of the mechanical code and/or fuel gas code as amended.

The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the mechanical code and/or fuel gas code as amended to accommodate the increased load.

SECTION 510 PLUMBING

510.1 Plumbing materials and methods. Alterations of any kind shall not diminish the building's existing structural strength, system capacity or mechanical ventilation below that which legally exists at the time of permit application or that which is required by the plumbing code as amended, whichever is less, except as otherwise required by this section.

510.1.1 Water supply and distribution. The Water Supply and Distribution requirements of the plumbing code as amended shall be followed for all new piping and fixtures in the area undergoing alterations of any kind.

Exception: Sections 10.13, 10.14.1, 10.14.2 and 10.14.3 of the Plumbing Code as amended shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the plumbing code as amended. Existing systems lawfully in existence that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the plumbing code as amended minimums.

510.1.2 Sanitary drainage systems. The Sanitary Drainage Systems requirements of the plumbing code as amended shall be followed for all new piping and fixtures in the area undergoing alterations of any kind.

Exception: Sections 11.2.3, 11.3.1, 11.4.1, 11.5.1, 11.5.2, 11.5.3, 11.5.4, 11.6.1, 11.6.3 and 11.6.5 of the Plumbing Code as amended shall only apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by the plumbing code as amended. Existing systems lawfully in existence that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet the plumbing code as amended minimums.

510.2 New plumbing piping and fixtures. New plumbing piping and fixtures shall meet the requirements of the plumbing code as amended.

The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the plumbing code as amended to accommodate the increased load.

CHAPTER 6 ALTERATIONS - LEVEL 2 (Alteration/Modification)

Change Section 601.3 to read as follows:

601.3 Compliance. All new construction elements, components and systems and spaces shall comply with the requirements of the Building Code as amended.

Exceptions:

1. Windows may be added without requiring compliance with the light and ventilation requirements of the Building Code as amended.
2. Newly installed electrical equipment shall comply with the requirements of Section 608.0.
3. The length of dead end corridors in newly constructed spaces need only be required to comply with the provisions of Section 605.6.
4. The minimum ceiling height of the newly created habitable and occupiable spaces and corridors shall be 7 feet (2134 mm).

Change Section 602.1 to read as follows:

602.1 General. Alteration of buildings, classified as special use and occupancy as described in the Building Code as amended, shall comply with the requirements of Section 601.1 and the scoping provisions of Chapter 1 where applicable.

Change Section 603.2.1 to read as follows:

603.2.1 Existing Vertical Openings. All existing interior vertical openings including stairways connecting two or more floors shall be enclosed with approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives.

Exceptions:

1. Where vertical opening enclosure is not required by the Building Code or Fire Prevention Code as amended.
2. Interior vertical openings other than stairways may be blocked at the floor and ceiling of the work area by installation of not less than two inches (50.8 mm) of solid wood or equivalent construction in combustible construction and of non-combustible materials which maintain the integrity of the floor assembly fire resistance rating in non-combustible construction.
3. The enclosure shall not be required where all the following conditions are met:
 - (1) The communicating area has a low hazard occupancy, or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system, and
 - (2) The lowest or next to the lowest level is a street floor; and
 - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants; and
 - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
 - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level.
4. In Use Group A Occupancies, a minimum 30 minute enclosure shall be provided to protect all vertical openings not exceeding three stories.
5. In Use Group B Occupancies, a minimum 30 minute enclosure shall be provided to protect all vertical openings not exceeding three stories. This enclosure, or the enclosure specified in Section 603.2.1 shall not be required:
 - 5.1. In a building not exceeding 3,000 square feet (279 m²) per floor; or
 - 5.2. When the building is protected throughout by an approved automatic fire sprinkler system.

6. In Use Group E Occupancies, the enclosure shall not be required for vertical openings not exceeding three stories when the building is protected throughout by an approved automatic fire sprinkler system.
7. In Use Group F Occupancies, the enclosure shall not be required under the following conditions:
 - 7.1. For vertical openings not exceeding three stories; or
 - 7.2. In special purpose occupancies when necessary for manufacturing operations and direct access is provided to at least one protected stairway; or
 - 7.3. In buildings which are protected throughout by an approved automatic sprinkler system.
8. In Use Group H Occupancies, the enclosure shall not be required for vertical openings not exceeding three stories where necessary for manufacturing operations and every floor level has direct access to at least two remote enclosed stairways or other approved exits.
9. In Use Group M Occupancies, a minimum 30 minute enclosure shall be provided to protect all vertical openings not exceeding three stories. This enclosure, or the enclosure specified in Section 603.2.1, shall not be required under the following conditions:
 - 9.1. Openings connect only two floor levels; or
 - 9.2. Occupancies are protected throughout by an approved automatic sprinkler system.
10. In Use Group R-1 Occupancies, the enclosure shall not be required for vertical openings not exceeding three stories where:
 - 10.1. In buildings which are protected throughout by an approved automatic sprinkler system; or
 - 10.2. In buildings with less than 25 guest rooms where every sleeping room above the second floor is provided with direct access to a fire escape or other approved second exit by means of an approved exterior door or window having a sill height of not greater than 44 inches (1118 mm) and where :
 - (1) Any exit access corridor exceeding eight feet (2438 mm) in length which serves two means of egress, one of which is an unprotected vertical opening, shall have at least one of the means of egress separated from the vertical opening by a one hour fire barrier; and
 - (2) The building is protected throughout by an automatic fire alarm system, installed and supervised in accordance with the Building Code as amended.
11. In Use Group R-2 Occupancies, a minimum 30 minute enclosure shall be provided to protect all vertical openings not exceeding three stories. This enclosure, or the enclosure specified in Section 603.2.1, shall not be required under the following conditions:
 - 11.1. Vertical openings not exceeding two stories with not more than four dwelling units per floor; or
 - 11.2. In buildings which are protected throughout by an approved automatic sprinkler system; or
 - 11.3. In buildings with not more than four dwelling units per floor where every sleeping room above the second floor is provided with direct access to a fire escape or other approved second exit by means of an approved exterior door or window having a sill height of not greater than 44 inches (1118 mm) and The building is protected throughout by an automatic fire alarm system, complying with Section 604.4.
12. Use Group R-3 one-and two-family dwellings.
13. Use Group S Occupancies, where connecting more than two floor levels, or where connecting not more than three floor levels and the structure is equipped throughout with an approved automatic sprinkler system.
14. Use Group S Occupancies, vertical opening protection is not required for open parking garages and ramps.

Change Section 603.2.3 to read as follows:

603.2.3 Supplemental stairway enclosure requirements. Where the work area on any floor exceeds 50 percent of that floor area, stairways that are part of the means of egress serving the work area shall at a minimum be enclosed with smoke tight construction on the highest work area floor and all floors below.

Exception: Where stairway enclosure is not required by the Building Code or Fire Prevention Code as amended.

Change Section 603.3.2 to read as follows:

603.3.2 Fire-resistance rating. The smoke barriers shall be fire resistance rated for 30 minutes and constructed in accordance with the Building Code as amended.

Change Section 603.4 to read as follows:

603.4 Interior finish. The interior finish of walls and ceilings in exits and corridors in any work area shall comply with the requirements of the Building Code as amended.

Exception: Existing interior finish materials which do not comply with the interior finish requirements of the Building Code as amended shall be permitted to be treated with an approved fire retardant coating in accordance with the manufacturer's instructions to achieve the required rating.

Add Section 603.4.2 to read as follows:

603.4.2 Concealed space requirements. In types 1 and 2 construction, plastic piping shall not be permitted in concealed spaces and above dropped ceilings.

Change Section 603.5.2 to read as follows:

603.5.2 Design. Where there are no guards or existing guards must be replaced, the guards shall be designed and installed in accordance with the Building Code as amended.

Change Section 604.2 to read as follows:

604.2 Automatic sprinkler systems. Automatic sprinkler systems shall be provided in accordance with the requirements of Sections 604.2.1 through 604.2.5. Installation requirements shall be in accordance with the Building Code as amended.

Change Section 604.2.2 to read as follows:

604.2.2 Groups A, E, F-1, H, I, M, R-1, R-2, R-4, S-1 And S-2. In buildings with occupancies in Groups A, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2., work areas that include exits or corridors shared by more than one tenant or serving an occupant load greater than 30 shall be provided with automatic sprinkler protection where all of the following conditions occur:

1. The work area would be required to be provided with automatic sprinkler protection in accordance with the Building Code as amended applicable to new construction.
2. The work area exceeds 50% of the floor area; and
3. The building has sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump, restricted to the definition of a limited area sprinkler system.

Exception: Work areas in Group R Occupancies three stories or less in height.

Change Sections 604.2.3 and 604.2.4 to read as follows:

604.2.3 Windowless stories. Work located in a windowless story as determined in accordance with the Building Code as amended shall be sprinklered where the work area would be required to be sprinklered under the provisions of the Building Code as amended as a newly constructed building, and the building has sufficient municipal water supply available to the floor without installation of a new fire pump.

604.2.4 Other required suppression systems. In buildings and areas listed in Table 903.2.15 of the Building Code as amended, work areas include exits or corridors shared by more than one tenant or serving an occupant load greater than 30 shall be provided with sprinkler protection where the following conditions occur:

1. The work area would be required to be provided with automatic sprinkler protection in accordance with the Building Code as amended applicable to new construction; and

2. The building has sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump.

Change Section 604.3 to read as follows:

604.3 Standpipes. Where the work area includes exits or corridors shared by more than one tenant and is located more than 75 feet (22860 mm) above or 50 feet (15240 mm) below the lowest level of fire department vehicle access, a standpipe system shall be provided. Standpipes shall have an approved fire department connection with hose connections at each floor level. Standpipe systems shall be installed in accordance with the Building Code as amended.

Exceptions:

1. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi (946 L/m at 448KPa) to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi (1892 L/m at 448KPa) to the topmost floor in all other buildings. Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet (gpm/psi) (L/m/KPa) requirements of this exception for possible future extension of the standpipe.
2. The interconnection of multiple standpipe risers shall not be required.

Change Sections 604.4.1 thru 604.4.1.7 to read as follows:

604.4.1 Occupancy requirements. A fire alarm system shall be installed in accordance with Sections 604.4.1.1 through 604.4.1.7. Existing alarm notification appliances shall be automatically activated throughout the building. Where the building is not equipped with a fire alarm system, alarm notification appliances within the work area shall be provided and automatically activated.

Exceptions:

1. Occupancies with an existing, previously approved fire alarm system.
2. Where selective notification is permitted, alarm-notification appliances shall be automatically activated in the areas selected.

604.4.1.1 Use Group E. A fire alarm system shall be installed in work areas in Use Group E occupancies as required by the Fire Prevention Code as amended for existing Use Group E occupancies.

604.4.1.2 Use Group I-1. A fire alarm system shall be installed in work areas in Use Group I-1 residential care/assisted living facilities as required by the Fire Prevention Code as amended for existing Use Group I-1 occupancies.

604.4.1.3 Use Group I-2. A fire alarm system shall be installed in work areas in Use Group I-2 occupancies as required by the Fire Prevention Code as amended for existing Use Group I-2 occupancies.

604.4.1.4 Use Group I-3. A fire alarm system shall be installed in work areas Use Group I-3 occupancies as required by the Fire Prevention Code as amended for existing Use Group I-3 occupancies.

604.4.1.5 Use Group R-1. A fire alarm system shall be installed in Use Group R-1 occupancies as required by the Fire Prevention Code as amended for existing Use Group R-1 occupancies.

604.4.1.6 Use Group R-2. A fire alarm system shall be installed in work areas of Use Group R-2 apartment buildings as required by the Fire Prevention Code as amended for existing Use Group R-2 occupancies.

604.4.1.7 Use Group R-4. A fire alarm system shall be installed in work areas of Use Group R-4 residential care/assisted living facilities as required by the Fire Prevention Code as amended for existing Use Group R-4 occupancies.

Change Section 604.4.3 to read as follows:

604.4.3 Smoke Alarms. Individual sleeping units and individual dwelling units in any work area in Use Group R-1, R-2, R-3, R-4 and I-1 shall be provided with smoke alarms in accordance with the Fire Prevention Code as amended.

Exception: Interconnection of smoke alarms outside of the rehabilitation work area shall not be required.

Change Section 605.2 to read as follows:

605.2 General. The means of egress shall comply with the requirements of this section.

Exception: Means of egress conforming to the requirements of the Building Code as amended under which the building was constructed shall be considered as complying means of egress if, in the opinion of the code official, they do not constitute a distinct hazard to life.

Change Section 605.3.1 to read as follows:

605.3.1 Minimum number. Every story utilized for human occupancy on which there is a work area that includes exits or corridors shared by more than one tenant within the work area shall be provided with the minimum number of exits based on the occupancy and the occupant load in accordance with the Building Code as amended. In addition, the exits shall comply with Sections 605.3.1.1 and 605.3.1.2.

Change Section 605.4.3 to read as follows:

605.4.3 Door closing. In any work area, all doors opening onto an exit passageway at grade or exit stair shall be self-closing or automatically closing by listed closing devices.

Exceptions:

1. Where exit enclosure is not required by the Building Code as amended.
2. Means of egress within or serving only a tenant space that is entirely outside the work area.

Change Sections 605.5 and 505.5.1 to read as follows:

605.5 Openings in corridor walls. Openings in corridor walls in any work area shall comply with Sections 605.5.1 through 605.5.4.

Exception: Openings in corridors where such corridors are not required to be rated in accordance with the Building Code as amended.

Change Section 605.6 to read as follows:

605.6 Dead end corridors. Dead end corridors in any work area shall not exceed 35 feet (10 670 mm).

Exceptions:

1. Where dead-end corridors of greater length are permitted by the Building Code as amended.
2. In other than Use Group A and H Occupancies, the maximum length of an existing dead end corridor shall be 50 feet (15 240 mm) in buildings equipped throughout with an automatic fire alarm system installed in accordance with the Building Code as amended.
3. In other than Use Group A and H Occupancies, the maximum length of an existing dead end corridor shall be 70 feet (21 356 mm) in buildings equipped throughout with an automatic sprinkler system installed in accordance with the Building Code as amended.
4. In other than Use Group A and H Occupancies the maximum length of an existing, newly constructed or extended dead end corridor shall not exceed 50 feet (15 240 mm) on floors equipped with an automatic sprinkler system installed in accordance with the Building Code as amended.

Change Sections 605.7.1 to read as follows:

605.7.1 Artificial lighting required. Means of egress in all work areas shall be provided with artificial lighting in accordance with the requirements of the Building Code as amended.

Change Section 605.8.1 to read as follows:

605.8.1 Work areas. Means of egress in all work areas shall be provided with exit signs in accordance with the requirements of the Building Code as amended.

Change Section 605.9.2 to read as follows:

605.9.2 Design. Handrails required in accordance with Section 605.9.1, shall be designed and installed in accordance with the provisions of the Building Code as amended.

Change Section 605.10.2 to read as follows:

605.10.2 Design. Guards required in accordance with Section 605.10.1 shall be designed and installed in accordance with the Building Code as amended.

Change Section 606.1 to read as follows:

606.1 General. A building, facility or element that is altered shall comply with Section 506. An accessible entrance shall be provided when entrance steps are being replaced in buildings required to be accessible. Vertical platform lifts can be used to achieve vertical accessibility. In an existing multi-floor building with two or more floors above grade, where the functions on the second or other floors above grade are identical to all the functions on the first floor and is the same tenant, vertical accessibility can be waived by the Commissioner on the Disabled if the first floor is totally accessible.

In Level 2 alterations, change of use or occupancy, accessible dwelling units in occupancies in Use Group R-2 containing more than twenty dwelling units, at least two percent but not less than one of the dwelling units shall be Type A dwelling units.

Exception: Use Group R-2 apartment buildings without a change of use or occupancy.

Change Section 606.2 to read as follows:

606.2 Stairs and escalators in existing buildings. In alterations where an escalator or stair is added where none existed previously, an accessible route shall be provided in accordance with the Building Code as amended.

Change Sections 607.1 thru 607.4.3 to read as follows:

607.1 General. Where alteration work includes installation of additional equipment that is structurally supported by the building or reconfiguration of space such that portions of the building become subjected to higher gravity loads as required by Tables 1606 and 1606.2.1 of the Building Code as amended, the provisions of this section shall apply.

607.2 Reduction of strength. Alterations shall not reduce the structural strength or stability of the building, structure or any individual member thereof.

Exception: Such reduction shall be allowed as long as the strength and the stability of the building are not reduced to below the Building Code as amended levels

607.3 New structural members. New structural members in alterations, including connections and anchorage, shall comply with the Building Code as amended.

607.4 Existing structural members. Existing structural components supporting additional equipment or subjected to additional loads based on Building Code as amended Tables 1607.1 and 1607.6 as a result of a reconfiguration of spaces shall comply with Sections 607.4.1 through 607.4.3.

607.4.1 Gravity loads. Existing structural elements supporting any additional gravity loads as a result of additional equipment or space reconfiguration shall comply with the Building Code as amended.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings of Use Group R Occupancy with not more than 5 dwelling units or guest rooms used solely for residential purposes where the existing building and its alteration comply with the wood frame construction methods of the Building Code as amended.

607.4.2 Lateral loads. Buildings in which Level 2 alterations increase the seismic base shear by more than 5 percent shall comply with the structural requirements specified in Section 707.

607.4.3 Snow drift loads. Any structural element of an existing building subjected to additional loads from the effects of snow drift as a result of additional equipment shall comply with the Building Code as amended.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings of Use Group R Occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes where the existing building and its alteration comply with the wood frame construction methods of the Building Code as amended.

Change Section 608.1 thru 608.3 to read as follows:

608.1 New installations. All newly-installed electrical equipment and wiring relating to work done in any work area shall comply with the materials and methods requirements of Chapter 5.

Exception: Electrical equipment and wiring in newly installed partitions and ceilings shall comply with all applicable requirements of the Electrical Code as amended.

608.2 Existing Installations: Existing wiring in all work areas in Use Groups A-1, A-2, A-5, H and I shall be upgraded to meet the materials and methods requirements of Chapter 5.

608.3 Residential occupancies. In Use Groups R-2, R-3, R-4 occupancies, the requirements of Sections 608.3.1 through 608.3.7 shall be applicable only to work areas located within a dwelling unit.

Change Section 608.3.4 to read as follows:

608.3.4 Ground fault circuit interruption. Newly installed receptacle outlets shall be provided with ground fault circuit interruption as required by the Electrical Code as amended.

Add Section 609.4 to read as follows:

609.4 Reconfigured or converted spaces. All reconfigured spaces intended for occupancy and all spaces converted to habitable or occupiable space in any work area shall be provided with either natural or mechanical ventilation in accordance with the *International Mechanical Code as amended*.

Change Section 610.1 to read as follows:

610.1 Minimum fixtures. Where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the Plumbing Code as amended listed in Chapter 14 based on the increased occupant load.

CHAPTER 7 ALTERATIONS - LEVEL 3 (Reconstruction)

Change Section 702.1.2 to read as follows:

702.1.2 Elevators. Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1.

Change Sections 704.1.1 thru 704.2.1 to read as follows:

704.1.1 High rise buildings. In high rise buildings, work areas shall be provided with automatic sprinkler protection. Where the work area exceeds 50 percent of floor area, sprinklers shall be provided in specified common areas.

704.1.2 Rubbish and linen chutes. Rubbish and linen chutes located in the work area shall be provided with sprinklered protection where protection of the rubbish and linen chute would be required under the provisions of the Building Code as amended for new construction.

704.2 Fire alarm and detection. Fire alarm and detection systems complying with Sections 604.4.1 and 604.4.3 shall be provided throughout the building in accordance with the Building Code as amended.

704.2.1 Manual fire alarm systems. In Use Groups A, B, E, F, H, I, M, R-1 and R-2 Occupancies a manual fire alarm system shall be provided on all floors in the work area. Alarm notification appliances shall be provided on such floors and shall be automatically activated as required by the Building Code as amended.

Exceptions:

1. Where the Building Code as amended does not require a manual fire alarm system.
2. Alarm-initiating and notification appliances shall not be required to be installed in tenant spaces outside of the work area.
3. Visual alarm notification appliances are not required, except where an existing alarm system is upgraded or replaced, or a new fire alarm system is installed.

Change Sections 705.2 and 705.3 to read as follows:

705.2 Means of egress lighting. Means of egress from the highest work area floor to the floor of exit discharge shall be provided with artificial lighting within the exit enclosure in accordance with the requirements of the Building Code as amended.

705.3 Exit signs. Means of egress from the highest work area floor to the floor of exit discharge shall be provided with exit signs in accordance with the requirements of the Building Code as amended.

Changes Section 706.1 to read as follows:

706.1 General. A building, facility or element that is altered shall comply with Sections 506 and 606.

Change Sections 707.2 thru 707.3 to read as follows:

707.2 Reduction of strength. Alterations shall not reduce the structural strength or stability of the building, structure or any individual member thereof.

Exception: Such reduction shall be allowed provided that the structural strength and the stability of the building are not reduced to below the Building Code as amended levels.

707.3 New structural members. New structural members in alterations, including connections and anchorage, shall comply with the Building Code as amended.

Change Section 707.5 thru 707.7 to read as follows:

707.5 Structural alterations. Buildings and structures undergoing structural alterations or buildings in which the seismic base shear is increased by more than 5% due to alterations, shall comply with this Section.

707.5.1 Evaluation and analysis. An engineering evaluation and analysis which establishes the structural adequacy of the altered structure shall be prepared by a registered design professional and submitted to the code official. Where more than 30 percent, within a 12 month period, of the total floor and roof areas of the building or structure have been or are proposed to be involved in structural alteration, the evaluation and analysis shall demonstrate that the altered building or the structure complies with the Building Code as amended for wind loading and with reduced Building Code level seismic forces as specified in Section 407.1.1.3 for seismic loading. For seismic considerations the analysis shall be based upon one of the procedures specified in Section 407.1.1.1 The areas to be counted towards the 30 percent shall be those areas tributary to the vertical load carrying components such as joists, beams, columns, walls and other structural components that have been or will be removed, added or altered, as well as areas such as mezzanines, penthouses, roof structures and infilled courts and shafts.

Exceptions:

1. Buildings of Use Group R Occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes altered based on the wood frame construction methods of the Building Code as amended.
2. Where such alterations involve only the lowest story of a building and Change of Occupancy Provisions of Chapter 8 do not apply, only the lateral force resisting components in and below that story need comply with this Section.

707.5.2 Limited structural alteration. Where not more than 30% of the total floor and roof areas of the building are involved in structural alterations within a 12 month period, the evaluation and analysis shall demonstrate that the altered building or structure complies with the loads applicable at the time the building was constructed.

707.6 Additional vertical loads. Where gravity loading is increased on the roof or floor of a building or structure, all structural members affected by such increase in loading shall meet the gravity load requirements of the Building Code as amended.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings of Use Group R Occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes altered based on the wood frame construction methods of the Building Code as amended.

707.7 Voluntary lateral force resisting system alterations. Alterations of existing structural elements that are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure, and are not required by other sections of this code, shall not be required to be designed for forces conforming to the Building Code as amended provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced.
2. The lateral loading to existing structural elements is not increased beyond their capacity.
3. New structural elements are detailed and connected to the existing structural elements as required by the Building Code as amended.
4. New or relocated non-structural elements are detailed and connected to existing or new structural elements as required by the Building Code as amended, and
5. A dangerous condition as defined in this code is not created.

Voluntary alterations to lateral force resisting systems conducted in accordance with Appendix A and the referenced standards of this code shall be permitted.

Add Sections 708 thru 710 to read as follows:

SECTION 708 ELECTRICAL

708.1 Electrical service, switchgear, fire pump, and emergency system. In buildings undergoing Level 3 Alterations, the electrical service, switchgear, fire pump, and emergency systems shall be inspected by the code official. If the electrical service, switchgear, fire pump or emergency system are found to be in any way defective, they shall be replaced in accordance with the electrical code as amended.

SECTION 709 MECHANICAL

709.1 Mechanical rooms, refrigeration machinery rooms and equipment rooms. In buildings undergoing Level 3 Alterations, all of the mechanical rooms, refrigeration machinery rooms and equipment rooms shall be inspected by the code official. If any mechanical room, refrigeration machinery room or equipment room is found to be in any way defective, it shall be brought into compliance with the mechanical code as amended.

SECTION 710 PLUMBING

710.1 Water service and sewer service. In buildings undergoing Level 3 Alterations, the existing water service and the existing sewer service shall be inspected by the code official. If any water service or sewer service is found to be in any way defective, it shall be brought into compliance with the plumbing code as amended.

CHAPTER 8 CHANGE OF OCCUPANCY

Change Section 801.1 to read as follows:

801.1 Repair and alteration with no change of occupancy classification. Any repair or alteration work undertaken in connection with a change of occupancy that does not involve a change of occupancy classification as described in the Building Code as amended shall conform to the applicable requirements for the work as classified in Chapter 3 and the requirements of Sections 802 through 811.

Exceptions:

1. Compliance with all the provisions of Chapter 7 is not required where the change of occupancy classification complies with the requirements of Section 812.3.
2. As modified in Section 1004 for historic buildings.
3. As permitted in Chapter 12.

Change Sections 801.3 to read as follows:

801.3 Certificate of occupancy required. A certificate of occupancy shall be issued where a change of occupancy occurs which results in a change of occupancy classification as determined by the Building Code as amended.

Change Sections 802.1 and 802.2 to read as follows:

802.1 Compliance with the building code as amended. Where the character of use of an existing building or part of an existing building is changed to one of the following special use or occupancy categories as defined in Chapter 4 of the Building Code as

amended, the building shall comply with all the applicable requirements of the Building Code as amended:

1. Covered mall buildings
2. Atriums
3. Motor vehicle related occupancies
4. Aircraft Related occupancies
5. Motion picture projection rooms
6. Stages and platforms
7. Special amusement buildings
8. Incidental use areas
9. Hazardous materials

802.2 Underground buildings. An underground building in which there is a change of use shall comply with the requirements of the Building Code as amended applicable to underground structures.

Change Sections 807.1, 807.1.1 and 807.2 to read as follows:

807.1 Gravity loads. Buildings or portions thereof subject to a change of occupancy where such change in the nature of occupancy results in higher uniform or concentrated loads based on Building Code as amended Tables 1606 and 1606.2.1, shall comply with the gravity load provisions of the Building Code as amended.

Exceptions: Structural elements whose force stress is not increased by more than 5 percent.

807.1.1 Change of occupancy: Any existing structure heretofore approved, in which there is not a change of occupancy to an occupancy requiring greater floor live loads, is permitted to be continued in use for the originally approved live loads, provided that the structure is structurally safe and adequate for the proposed occupancy, and the public safety is not endangered thereby. If the approved live load is less than required by Section 1606.0, the areas designed for the reduced live load shall be posted with the approved load. Placards shall be of an approved design.

In every building or other structure or part thereof of Use Groups A, B, E, F, M, S where there is a change of use or function and in the code official's opinion the live load may exceed the existing allowable floor live load, there shall be a placard posted indicating the maximum allowed floor live load. Structural calculations establishing the maximum allowed floor live load shall be prepared by a registered professional engineer. All structural calculations shall bear an original embossed or wet ink seal, original ink signature and the date the structural calculations were sealed by the registered professional engineer on the first sheet or on the cover sheet of the structural calculations.

The maximum allowed floor live load shall be marked on placards of an approved design which shall be supplied and securely affixed by the owner of the building, or the owner's authorized agent, in a conspicuous place in each space to which they relate. Any placards lost, removed or defaced shall be replaced by the owner or the owner's agent.

807.2 Snow and wind loads. Buildings and structures subject to a change of occupancy where such change in the nature of occupancy results in higher wind or snow importance factors based on the Building Code as amended, shall be analyzed and shall comply with the applicable wind or snow load provisions of the Building Code as amended.

Exception: Where the new occupancy with higher importance factor is less than or equal to ten percent of the total building floor area. The cumulative effect of the area of occupancy changes shall be considered for the purposes of this exception.

Change Section 807.3.1 to read as follows:

807.3.1 Compliance with the Building Code as amended. When a building or portion thereof is subject to change of occupancy where such a change in the nature of the occupancy results in a higher Seismic Factor based on the Building Code as amended or when a change of occupancy results in a building being reclassified to a higher Hazard Category as shown in Table 812.4.1, and for M occupancy being changed to A, E, I-1, R-1, R-2 or R-4 occupancies with two-thirds or more of the floors involved in Alteration-level 3 type of work, the building shall conform to the seismic requirements of the Building Code as amended for the new Seismic Use Group.

Exceptions:

1. Use Group M occupancies being changed to A, E, I-1, R-1, R-2 or R-4 occupancies for buildings less than six stories in height and in Seismic Design Category A, B and C.

2. Specific detailing provisions required for a new structure are not required to be met where it can be shown an acceptable level of performance and seismic safety is obtained for the applicable seismic use group using reduced Building Code level seismic forces as specified in Section 407.1.1.3. The rehabilitation procedures shall be approved by the code official and shall consider the regularity, over-strength, redundancy and ductility of the lateral load resisting system within the context of the existing detailing of the system.
3. Where the area of the new occupancy with higher Hazard Category is less than or equal to 10% of the total building floor area and the new occupancy is not classified as Seismic Use Group III. For the purposes of this exception where a structure is occupied for two or more occupancies not included in the same seismic use group, the structure shall be assigned the classification of the highest seismic use group corresponding to the various occupancies. Where structures have two or more portions that are structurally separated in accordance with the Building Code as amended, each portion shall be separately classified. Where a structurally separated portion of a structure provides required access to, required egress from, or shares life safety components with another portion having a higher seismic use group, both portions shall be assigned the higher seismic use group. The cumulative effect of the area of occupancy changes shall be considered for the purposes of this exception.
4. When the new occupancy with higher Hazard Category is within only one story of a building or structure, only the lateral force resisting elements in that story and all lateral force resisting elements below that story shall be required to comply with Section 807.3.1 and exception 2. The lateral forces generated by masses of such upper floors shall be included in the analysis and design of the lateral force resisting systems for the strengthened floor. Such forces may be applied to the floor level immediately above the topmost strengthened floor and distributed in that floor in a manner consistent with the construction and layout of the exempted floor.
5. Unreinforced masonry bearing wall buildings in Seismic Use Group 1 and in Seismic Use Group 1 and 2 when in Seismic Design Categories A, B and C shall be allowed to be strengthened to meet the requirements of the Building Code as amended.

Change Sections 808.1 thru 808.4 to read as follows:

808.1 Special occupancies. Where the occupancy of an existing building or part of an existing building is changed to one of the following special occupancies as described in the Electrical Code as amended, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with all applicable requirements of the Electrical Code as amended regardless of whether a change of occupancy use group is involved:

1. hazardous locations
2. commercial garages, repair and storage
3. aircraft hangars
4. gasoline dispensing and service stations
5. bulk storage plants
6. spray application, dipping and coating processes
7. health care facilities
8. places of assembly
9. theaters, audience areas of motion picture and television studios and similar locations
10. motion picture and television studios and similar locations
11. motion picture projectors
12. agricultural buildings

808.2 Unsafe conditions. Where the occupancy of an existing building or part of an existing building is changed all unsafe conditions shall be corrected, without requiring that all parts of the electrical system be brought up to the Electrical Code as amended.

808.3 Service upgrade. Where the occupancy of an existing building or part of an existing building is changed electrical service shall be upgraded to meet the requirements of the Electrical Code as amended for the new occupancy.

808.4 Change in use. Whenever a change in use group occurs, the building or part of a building in which the change occurs shall

be retrofitted to comply with the requirements of the Electrical Code as amended.

Change Section 809 to read as follows:

SECTION 809 MECHANICAL

809.1 Special occupancies. Where the occupancy of an existing building or part of an existing building is changed, the mechanical systems and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of the Mechanical Code as amended regardless of whether a change of occupancy group is involved:

1. Hazardous locations
2. Commercial garages, repair and storage
3. Aircraft hangars
4. Gasoline dispensing and service stations
5. Bulk storage plants
6. Spray application, dipping and coating processes
7. Health care facilities
8. Places of assembly
9. Theaters, audience areas of motion picture and television studios and similar locations
10. Motion picture and television studios and similar locations
11. Motion picture projectors
12. Agricultural buildings

809.2 Unsafe conditions. Where the occupancy of an existing building or part of an existing building is changed, all unsafe conditions shall be corrected, without requiring that all parts of the electrical system be brought up to the requirements of the Mechanical Code as amended.

809.3 Change in use. Whenever a change in use group occurs, the building or part of a building in which the change occurs shall be retrofitted to comply with the requirements of the Mechanical Code as amended.

Change Section 810 to read as follows:

SECTION 810 PLUMBING

810.1 Unsafe conditions. Where the occupancy of an existing building or part of an existing building is changed, all unsafe conditions shall be corrected, without requiring that all parts of the plumbing systems be brought up to the requirements of the Plumbing Code as amended.

810.2 Change in use. Whenever a change in use group occurs, the building or part of a building in which the change occurs shall be retrofitted to comply with the requirements of the Plumbing Code as amended.

Change Section 811.1.1 to read as follows:

811.1.1 Light and ventilation. Light and ventilation shall comply with the requirements of the Building Code as amended for the new occupancy

Change Sections 812.1.1 and 812.1.2 to read as follows:

812.1.1 Change of occupancy use group without separation. Where a portion of an existing building is changed to a new occupancy use group, and that portion is not separated from the remainder of the building with fire barriers having a fire resistance rating as required in the Building Code as amended for the separate occupancy, the entire building shall comply with all of the requirements of Chapter 7 applied throughout the building for the most restrictive Use Group in the building and with the requirements of this Chapter.

Exception: Compliance with all the provisions of Chapter 7 is not required when the change of occupancy use

group complies with the requirements of Section 812.3.

812.1.2 Change of occupancy use group with separation. A portion of an existing building that is changed to a new occupancy use group, and is separated from the remainder of the building with fire barriers having a fire resistance rating as required in the Building Code as amended for the separate occupancy shall comply with all the requirements of Chapter 7 for the new occupancy group, and with the requirements of this Chapter.

Exception: Compliance with all the provisions of Chapter 7 is not required when the change of use complies with the requirements of Section 812.3.

Change Section 812.3.1 to read as follows:

812.3.1 Minimum requirements. Regardless of the occupancy use group involved, the following requirements shall be met:

1. The capacity of the means of egress shall comply with the Building Code as amended.
2. The interior finish of walls and ceilings shall comply with the requirements of the Building Code as amended for the new occupancy use group.

Change Sections 812.4.1.1 thru 812.4.1.3 to read as follows:

812.4.1.1 Means of egress for change to higher hazard category. When a change of occupancy group is made to a higher hazard category (lower number) as shown in Table 812.4.1, the means of egress shall comply with the requirements of Chapter 10 of the Building Code as amended.

Exceptions:

1. Stairways shall be enclosed in compliance with applicable provisions of Section 703.1.
2. Existing stairways including handrails and guards complying with the requirements of Chapter 7 shall be permitted for continued use subject to approval of the code official.
3. Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced, shall not be required to comply with the maximum riser height and minimum tread depth requirements.
4. Existing corridor walls constructed of wood lath and plaster in good condition or ½-inch-thick (12.7 mm) gypsum wallboard shall be permitted.
5. Existing corridor doorways, transoms and other corridor openings shall comply with the requirements in Sections 605.5.1, 605.5.2 and 605.5.3.
6. Existing dead end corridors shall comply with the requirements in Section 605.6.
7. An existing operable window with clear opening area no less than 4 square feet (0.38 m²), and with minimum opening height and width of 22 inches (559 mm) and 20 inches (508 mm) respectively shall be accepted as an emergency escape and rescue opening.

812.4.1.2 Means of egress when change of use to equal or lower hazard category. When a change of occupancy use group is made to an equal or lesser hazard category as shown in Table 812.4.1, existing elements of the means of egress shall comply with the requirements of Section 705 for the new occupancy use group. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the Building Code as amended.

Exception:

1. Any stairway replacing an existing stairway within a space where, because of existing construction, the pitch or slope cannot be reduced, shall not be required to comply with the maximum riser height and minimum tread depth requirements.
2. Compliance with Section 705 is not required where the change of occupancy use group complies with the requirements of Section 812.3.

812.4.1.3 Egress capacity. Egress capacity shall meet or exceed the occupant load as specified in the Building Code as amended if the change of Occupancy Classification is to an equal or lesser hazard category when evaluated in accordance with Table 812.4.1.

Change Table 812.4.2 by deleting Occupancy Classification R-3 from relative hazard 2.

Change Section 812.4.2.1 to read as follows:

812.4.2.1 Height and area for change to higher hazard category. When a change of occupancy use group is made to a higher hazard category as shown in Table 812.4.3, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of the Building Code as amended for the new occupancy use group.

Exception: A 1-story building changed into Use Group E shall not be required to meet the area limitations of the Building Code as amended.

Change Section 812.4.2.3 to read as follows:

812.4.2.3 Fire barriers. When a change of occupancy use group is made to a higher hazard category as shown in Table 812.4.3, fire barriers in separated mixed use buildings shall comply with the fire resistance requirements in the Building Code as amended.

Exception: Where the fire barriers are required to have a one-hour fire resistance rating, existing wood lath and plaster in good condition or existing ½-inch-thick (12.7 mm) gypsum wallboard shall be permitted.

Change Section 812.4.3.1 to read as follows:

812.4.3.1 Exterior wall rating for change of occupancy classification to a higher hazard category. Where a change of occupancy use group is made to a higher hazard category as shown in Table 812.4.4, exterior walls shall have fire resistance and exterior opening protectives as required by the Building Code as amended. This provision shall not apply to walls at right angles to the property line.

Exception: A two hour fire resistance rating shall be allowed where the building does not exceed three stories in height and is classified as one of the following Use Groups: A-2 and A-3 with an occupant load of less than 300, B, F, M, or S.

Change Section 812.4.3.3 to read as follows:

812.4.3.3 Opening protectives. Openings in exterior walls shall be protected as required by the Building Code as amended. When openings in the exterior walls are required to be protected due to distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

Exceptions:

1. Where the Building Code as amended permits openings in excess of 50 percent.
2. Protected openings shall not be required in buildings of occupancy use group R which do not exceed three stories in height and which are located not less than 3 feet (914 mm) from the property line.
3. Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.
4. Exterior opening protectives are not required when the change of occupancy use group is to an equal or lower hazard classification in accordance with Table 812.4.4.

Change Section 812.5 to read as follows:

812.5 Accessibility. Existing buildings or portions thereof that undergo a change of occupancy classification shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with the Building Code as amended.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an

accessible entrance.

7. Accessible toilets shall be provided. Where full compliance is not possible, a single fixture unisex, accessible bathroom shall be permitted.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of use group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Change of use group or occupancy that incorporate any alterations or additions shall comply with this Section and Sections 506.1 and 506.2 as applicable.

Exceptions:

1. Type B dwelling units required by Section 1107.5.4 of the Building Code as amended are not required to be provided in existing buildings and facilities.
2. Waivers as provided for in Section 506.3

**CHAPTER 9
ADDITIONS**

Change Sections 902.1 thru 903.3.2 to read as follows:

902.1 Height limitations. No addition shall increase the height of an existing building beyond that permitted under the applicable provisions of Chapter 5 of the Building Code as amended for new buildings.

902.2 Area limitations. No addition shall increase the area of an existing building beyond that permitted under the applicable provisions of Chapter 5 of the Building Code as amended for new buildings unless fire separation as required in the Building Code as amended is provided.

Exceptions:

1. Existing one and two story buildings shall be permitted to be expanded beyond what is permitted by up to 25 percent of the existing floor area, not to exceed an area of 125 percent of that permitted by the Building Code as amended, without providing fire separation.
2. Infilling of floor openings, non-occupiable appendages such as elevator and exit stair shafts, and the addition of mezzanines and equipment penthouses shall be permitted beyond that permitted by the Building Code as amended.

902.3 Fire protection systems. Existing fire areas increased by the addition shall comply with Chapter 9 of the Building Code as amended.

**SECTION 903
STRUCTURAL**

903.1 Compliance with the Building Code as amended. Additions to existing buildings or structures are new construction and shall comply with the Building Code as amended.

903.2 Additional gravity loads. Existing structural elements supporting any additional gravity loads as a result of additions shall comply with the Building Code as amended.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings of Group R Occupancy with no more than 5 dwelling units or guestrooms used solely for residential purposes where the existing building and the addition comply with the wood frame construction methods of the Building Code as amended.

903.3 Lateral force resisting system. The lateral force resisting system of existing buildings to which additions are made shall comply with Sections 903.3.1, 903.3.2 and 903.3.3.

Exceptions:

1. In Type V construction, Group R Occupancies where the lateral force story shear in any story is not increased by more than 10 percent.
2. Buildings of Group R Occupancy with no more than 5 dwelling units or guestrooms used solely for residential

purposes where the existing building and the addition comply with the wood frame construction methods of the Building Code as amended.

3. Additions where the lateral force story shear in any story is not increased by more than 5 percent.

903.3.1 Vertical addition. Any element of the Lateral Force Resisting System of an existing building subjected to an increase in vertical or lateral loads from the vertical addition shall comply with the lateral load provisions of the Building Code as amended.

903.3.2 Horizontal addition. Where horizontal additions are structurally connected to an existing structure all lateral force resisting elements of the existing structure affected by such addition shall comply with the lateral load provisions of the Building Code as amended. Lateral loads imposed on the elements of the existing structure and the addition shall be determined by a relative stiffness analysis of the combined structure including torsional effects.

Change Sections 903.4 and 903.5 to read as follows:

903.4 Snow drift loads. Any structural element of an existing building subjected to additional loads from the effects of snow drift as a result of an addition shall comply with the Building Code as amended.

Exceptions:

1. Structural elements whose stress is not increased by more than 5 percent.
2. Buildings of Group R Occupancy with no more than 5 dwelling units or guest rooms used solely for residential purposes where the existing building and the addition comply with the wood frame construction methods of the Building Code as amended.

903.5 Flood hazard areas. In flood hazard areas:

1. For horizontal additions that are structurally interconnected to the existing building:
 - 1.1. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with the Building Code as amended Section 3107.
 - 1.2. If the addition constitutes substantial improvement, the existing building and the addition shall comply with the Building Code as amended Section 3107.
2. For horizontal additions that are not structurally interconnected to the existing building:
 - 2.1. The addition shall comply with the Building Code as amended Section 3107.
 - 2.2. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with the Building Code as amended Section 3107.
3. For vertical additions and all other proposed work, when combined, that constitute substantial improvement, the existing building shall comply with the Building Code as amended Section 3107.
4. For a new, replacement, raised or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with the Building Code as amended Section 3107.

Change Sections 904.1 and 904.2 to read as follows:

904.1 Smoke alarms in addition. Whenever an addition is made to a building or structure of Use Group R-3 or R-4, hardwired, interconnected smoke alarms meeting the requirements of the Building Code as amended as applicable shall be installed and maintained in the addition.

904.2 Smoke alarms in existing portions of building. Whenever an addition is made to a building or structure of Use Group R-3 or R-4, the existing building shall be provided with smoke alarms as required by the Building Code as amended. The smoke alarms are not required to be interconnected with smoke alarms in the existing building and are not required to be interconnected with the smoke alarms in the addition or smoke detectors in other portions of the base building.

Change Section 906.1 to read as follows:

906.1 Minimum requirements. Additions to existing buildings or structures may be made to such buildings or structures without making the entire building or structure comply with the requirements of the Building Code as amended. The addition shall conform to the requirements of the Building Code as amended as they relate to new construction only.

Add Sections 907 thru 909 to read as follows:

SECTION 907 ELECTRICAL

907.1 Minimum requirements. Additions to existing buildings or structures may be made to such buildings or structures without requiring that the entire building or structure comply with the requirements of the Electrical Code as amended. The addition shall conform to the requirements of the Electrical Code as amended. The addition of fixtures, equipment or appliances shall not increase loads on the electrical service unless the service is upgraded in accordance with the Electrical Code as amended to accommodate the increased load.

SECTION 908 MECHANICAL

908.1 Minimum requirements. Additions to existing buildings or structures may be made to such buildings or structures without requiring that the entire building or structure comply with the requirements of the Mechanical Code as amended. The addition shall conform to the requirements of the Mechanical Code as amended. The addition of fixtures, equipment or appliances shall not increase loads on any mechanical system unless the system is upgraded in accordance with the Mechanical Code as amended to accommodate the increased load.

SECTION 909 PLUMBING

909.1 Minimum requirements. Additions to existing buildings or structures may be made to such buildings or structures without requiring that the entire building or structure comply with the requirements of the Plumbing Code as amended. The addition shall conform to the requirements of the Plumbing Code as amended. The addition of fixtures, equipment or appliances shall not increase loads on any plumbing system unless the system is upgraded in accordance with the Plumbing Code as amended to accommodate the increased load.

CHAPTER 10 HISTORIC BUILDINGS

Change Section 1001.4 to read as follows:

1001.4 Flood hazard areas. In flood hazard areas, if all proposed work, including repairs, work required due to a change of occupancy, and alterations, constitutes substantial improvement then the existing building shall comply with the Building Code as amended Section 1612.

Exception: If a historic building will continue to be a historic building after the proposed work is completed, then proposed work is not considered to be a substantial improvement. For the purpose of this exception, a historic building is:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places;
or
2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historic significance of a registered historic district, or a district preliminarily determined to qualify as a historic district; or
3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

Change Sections 1002.3 thru 1002.5 to read as follows:

1002.3 Relocated buildings. Foundations of relocated historic buildings and structures shall comply with the Building Code as amended. Relocated historic buildings shall otherwise be considered a historic building for the purposes of this code. Relocated historic buildings and structures shall be so sited that exterior wall and opening requirements comply with the Building Code as amended or the compliance alternatives of this code.

1002.4 Chapter 4 compliance. Historic buildings undergoing repairs shall comply with all of the applicable requirements of Chapter 4 except as specifically permitted in this chapter.

1002.5 Replacement. Replacement of existing or missing features using original materials shall be permitted. Partial replacement for repairs that match the original in configuration, height and size shall be permitted. Such replacements shall not be required to meet the materials and methods requirements in Section 401.2.

Exception: Replacement glazing in hazardous locations shall comply with the safety glazing requirements of Chapter 24 of the Building Code as amended.

Change Section 1003.12.1 to read as follows:

1003.12.1 General. Every historic building which cannot be made to conform to the construction requirements specified in the Building Code as amended for the occupancy or use, and which constitutes a distinct fire hazard shall be deemed to be in compliance if provided with an approved automatic fire extinguishing system.

Exception: When an alternative life-safety system is approved by the code official.

Change Section 1004.4.1.4 to read as follows:

1004.4.1.4 Toilet and bathing facilities. Where toilet rooms are provided at least one accessible toilet room for each sex or a unisex toilet room complying with the Building Code as amended shall be provided.

Change Section 1005.2 to read as follows:

1005.2 Building area. The allowable floor area for historic buildings undergoing a change of occupancy shall be permitted to exceed the allowable areas specified in Chapter 5 of the Building Code as amended by 20 percent.

Change Section 1005.9 to read as follows:

1005.9 Finishes. Where finish materials are required to have a flame-spread classification of Class III or better, existing nonconforming materials shall be surfaced with an approved fire-retardant paint or finish.

Exception: Existing nonconforming materials need not be surfaced with an approved fire-retardant paint or finish when the building is equipped throughout with an automatic fire-suppression system installed in accordance with the Building Code as amended and the nonconforming materials can be substantiated as being historic in character.

Change Section 1005.15 to read as follows:

1005.15 Accessibility requirements. The provisions of Section 812.5 shall apply to buildings and facilities designated as historic structures that undergo a change of occupancy, unless technically infeasible. Where compliance with the requirements for accessible routes, ramps, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the authority having jurisdiction, the alternative requirements of Sections 1005.1.1 through 1005.1.5 for that element shall be permitted.

Exception: Waivers as provided for in Section 506.3

CHAPTER 11 RELOCATED OR MOVED BUILDINGS

Change Section 1101.2 to read as follows:

1101.2 Conformance. The building shall be safe for human occupancy as determined by the Fire Prevention Code and Property Maintenance Code as amended. Any repair, alteration or change in occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field fabricated elements shall comply with the requirements of the Building Code as amended.

Change Section 1102.1 thru 1102.6 to read as follows:

1102.1 Location on the lot. The building shall be located on the lot in accordance with the requirements of the Building Code as amended.

1102.2 Foundation. The foundation system of relocated buildings shall comply with the Building Code as amended.

1102.2.1 Connection to the foundation. The connection of the relocated building to the foundation shall comply with the Building Code as amended.

1102.3 Wind Loads. Building shall comply with the Building Code as amended wind provisions.

Exceptions:

1. Detached one and two family dwellings and Group U Occupancies where wind loads at the new location are not higher than the previous location.
2. Structural elements whose stress is not increased by more than 5 percent.

1102.4 Seismic loads. Building shall comply with the Building Code as amended seismic provisions at the new location.

Exceptions:

1. All structures in Seismic Design Categories A and B, and detached one and two family dwellings in Seismic Design Categories A, B and C where the seismic loads at the new location are not higher than the previous location.
2. Structural elements whose stress is not increased by more than 5 percent.

1102.5 Snow loads. Structure shall comply with the Building Code as amended snow loads where snow loads at the new location are higher than the previous location.

Exception: Structural elements whose stress is not increased by more than 5 percent.

1102.6 Flood hazard areas. If relocated or moved into a flood hazard area, structures shall comply with the Building Code as amended Section 1612.

CHAPTER 12 COMPLIANCE ALTERNATIVES

1201.2 Applicability. Structures existing prior to the date of adoption of this code, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 10. The provisions of Sections 1201.2.1 through 1201.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I.

Change Section 1201.2.2 thru 1201.2.5 to read as follows:

1201.2.2 Part change in occupancy. Where a portion of the building is changed to a new occupancy classification, and that portion is separated from the remainder of the building with fire barrier wall assemblies having a fire resistance rating as required by the Building Code as amended for the separate occupancies, or with approved compliance alternatives, the portion changed shall be made to conform to the provisions of this Section.

Where a portion of the building is changed to a new occupancy classification, and that portion is not separated from the remainder of the building with fire separation assemblies having a fire resistance rating as required by the Building Code as amended for the separate occupancies, or with approved compliance alternatives, the provisions of this section which apply to each occupancy shall apply to the entire building. Where there are conflicting provisions, those requirements which secure the greater public safety shall apply to the entire building or structure.

1201.2.3 Additions. Additions to existing buildings shall comply with the requirements of the Building Code as amended and this code for new construction. The combined height and area of the existing building and the new addition shall not exceed the height and area allowed by Chapter 5. Where a fire wall that complies with Section 707 of the Building Code as amended is provided between the addition and the existing building, the addition shall be considered a separate building.

1201.2.4 Alterations and repairs. An existing building or portion thereof, which does not comply with the requirements of this code for new construction shall not be altered or repaired in such a manner that results in the building being less safe or sanitary than such building is currently. If, in the alteration or repair, the current level of safety or sanitation is to be reduced, the portion altered or repaired shall conform to the requirements of Chapters 2 through 12 and Chapters 14 through 33 of the Building Code as amended.

1201.2.5 Accessibility requirements. All portions of the buildings proposed for change of occupancy shall conform to the accessibility provisions of Chapter 11 of the Building Code as amended

Change Sections 1201.3.2 and 1201.3.3 to read as follows:

1201.3.2 Compliance with other codes. Buildings that are evaluated in accordance with this section shall comply with the Fire Prevention Code and Property Maintenance Code as amended.

1201.3.3 Compliance with flood hazard provisions. In flood hazard areas, buildings that are evaluated in accordance with this Section shall comply with the Building Code as amended Section 3107 if the work covered by this Section constitutes substantial improvement.

Change Section 1201.4.1 to read as follows:

1201.4.1 Structural analysis. The owner shall have a structural analysis of the existing building made to determine adequacy of structural systems for the proposed alteration, addition or change of occupancy. The existing building shall be capable of supporting the minimum load requirements of Chapter 16 of the Building Code as amended.

Change Section 1201.6.1 thru 1201.6.2.1 to read as follows:

1201.6.1 Building height. The value for building height shall be the lesser value determined by the formula in Section 1201.6.1.1. Chapter 5 of the Building Code as amended shall be used to determine the allowable height of the building, including allowable increases due to automatic sprinklers as provided for in Section 504.2. Subtract the actual building height from the allowable and divide by 12 ½ feet. Enter the height value and its sign positive or negative in Table 1201.7 under Safety Parameter 1201.6.1, Building Height, for fire safety, means of egress and general safety. The maximum score for a building shall be 10.

1201.6.1.1 Height formula. The following formulas shall be used in computing the building height value.

$$\text{Height value, feet} = \frac{(\text{AH}) - (\text{EBH})}{12.5} \times \text{CF}$$

$$\text{Height value, stories} = (\text{AS} - \text{EBS}) \times \text{CF}$$

(Equation 12-1)

where:

AH	=	Allowable height in feet from the Building Code as amended.
EBH	=	Existing building height in feet.
AS	=	Allowable height in stories from the Building Code as amended.
EBS	=	Existing building height in stories.
CF	=	1 if (AH) - (EBH) is positive.
CF	=	Construction-type factor shown in Table 1201.6.6(2) if (AH) - (EBH) is negative.

Note. Where mixed occupancies are separated and individually evaluated as indicated in Section 1201.6, the values AH, AS, EBH and EBS shall be based on the height of the fire area of the occupancy being evaluated.

1201.6.2 Building area. The value for building area shall be determined by the formula in Section 1201.6.2.2. Section 503 of the Building Code as amended and the formula in Section 1201.6.2.1 shall be used to determine the allowable area of the building. The allowable area shall be the lesser value calculated by equations 12-2 and 12-3. This shall include any allowable increases due to open perimeter and automatic sprinklers as provided for in Section 506 of the Building Code as amended. Subtract the actual building area from the allowable area and divide by 1,200 square feet (112 m²). Enter the area value and its sign (positive or negative) in Table 1201.7 under Safety Parameter 201.6.2, Building Area, for fire safety, means of egress and general safety. In determining the area value, the maximum permitted positive value for area is 50 percent of the fire safety score as listed in Table 1201.8, Mandatory Safety Scores.

1201.6.2.1 Allowable area formula. The following formula shall be used in computing allowable area:

$$\text{Aa} = \frac{(100 + \text{If} + \text{Is}) \times \text{At}}{100}$$

(Equation 12-2)

Amax. = 3 x Aa, as calculated in accordance with the Building Code as amended.

Aa,max. = Amax. Number of stories

(Equation 12-3)

where:

Aa	=	Allowable area per floor
Is	=	Area increase due to sprinkler protection percent as calculated in accordance with Section 506.3 of the Building Code as amended.
If	=	Area increase due to frontage, percent as calculated in accordance with Section 506.2 of the Building Code as amended.
At	=	Tabular area per floor in accordance with Table 503 of the Building Code as amended square feet
Amax.	=	Total area of the entire building.
Aa,max.	=	Allowable area per floor based on the limitations of the Building Code as amended.

Change Sections 1201.6.3.1 and 1201.6.3.2 to read as follows:

1201.6.3.1 Wall construction. A wall used to create separate compartments shall be a fire barrier conforming to Section 709 of the Building Code as amended with a fire resistance rating of not less than 2 hours. Where the building is not divided into more than one compartment, the compartment size shall be taken as the total floor area on all floors. Where there is more than one compartment within a story, each compartmented area on such story shall be provided with a horizontal exit conforming to Section 1019 of the Building Code as amended. The fire door serving as the horizontal exit between compartments shall be so installed, fitted and gasketed that such fire door will provide a substantial barrier to the passage of smoke.

1201.6.3.2 Floor/ceiling construction. A floor/ceiling assembly used to create compartments shall conform to Section 713 of the Building Code as amended and shall have a fire resistance rating of not less than 2 hours.

Change Section 1201.6.4.1 to read as follows:

1201.6.4.1 Categories. The categories for tenant and dwelling unit separations are:

1. Category a — No fire partitions; incomplete fire partitions; no doors; doors not self-closing or automatic closing.
2. Category b — Fire partitions or floor assembly less than 1-hour fire resistance rating or not constructed in accordance with Sections 711 or 713 of the Building Code as amended, respectively.
3. Category c — Fire partitions with 1 hour or greater fire resistance rating constructed in accordance with Section 711 of the Building Code as amended and floor assemblies with 1-hour but less than 2-hour fire resistance rating constructed in accordance with Section 713 of the Building Code as amended or with only one tenant within the fire area.
4. Category d — Fire barriers with 1-hour but less than 2-hour fire resistance rating constructed in accordance with Section 709 of the Building Code as amended and floor assemblies with 2-hour or greater fire resistance rating constructed in accordance with Section 713 of the Building Code as amended.
5. Category e — Fire barriers and floor assemblies with 2-hour or greater fire resistance rating and constructed in accordance with Sections 709 and 713 of the Building Code as amended, respectively.

Change Sections 1201.6.5 thru 1206.6 to read as follows:

1201.6.5 Corridor walls. Evaluate the fire resistance rating and degree of completeness of walls which create corridors serving the floor, and constructed in accordance with Section 1011 of the Building Code as amended. This evaluation shall not include the wall elements considered under Sections 1201.6.3 and 1201.6.4. Under the categories and Groups in Table 1201.6.5, determine the appropriate value and enter that value into Table 1201.7 under Safety Parameter 1201.6.5, Corridor Walls, for fire safety, means of egress and general safety.

1201.6.5.1 Categories. The categories for corridor walls are:

1. Category a — No fire partitions; incomplete fire partitions; no doors; or doors not self-closing.
2. Category b — Less than 1-hour fire resistance rating or not constructed in accordance with Section 711.4 of the Building Code as amended.
3. Category c — 1-hour to less than 2-hour fire resistance rating, with doors conforming to Section 1011.4.2 of the Building Code as amended or without corridors as permitted by Section 1011 of the Building Code as amended.
4. Category d — 2-hour or greater fire resistance rating, with doors conforming to Section 1011.4.2 of the Building Code as amended.

TABLE 1201.6.5 CORRIDOR WALL VALUES				
OCCUPANCY	CATEGORIES			
	a	b	c ^a	d ^a
A-1	-10	-4	0	2
A-2	-30	-12	0	2
A-3, F, M, R, S-1	-7	-3	0	2
A-4, B, E, S-2	-5	-2	0	5

Note a. Corridors not providing at least one-half the travel distance for all occupants on a floor shall use Category b.

1201.6.6 Vertical openings. Evaluate the fire resistance rating of vertical exit enclosures, hoistways, escalator openings and other shaft enclosures within the building, and openings between two or more floors. Table 1201.6.6(1) contains the

appropriate protection values. Multiply that value by the construction-type factor found in Table 1201.6.6(2). Enter the vertical opening value and its sign, positive or negative, in Table 1201.7 under Safety Parameter 1201.6.6, Vertical Openings, for fire safety, means of egress and general safety. If the structure is a one-story building, enter a value of 2. Unenclosed vertical openings that conform to the requirements of Section 713.3 of the Building Code as amended shall not be considered in the evaluation of vertical openings.

Change Section 1201.6.7.1 to read as follows:

1201.6.7.1 Categories. The categories for HVAC systems are:

1. Category a — Plenums not in accordance with Section 602 of the *International Mechanical Code as amended*. -10 points.
2. Category b — Air movement in egress elements not in accordance with Section 1005.7 of the Building Code as amended. -5 points.
3. Category c — Both categories a and b are applicable. -15 points.
4. Category d — Compliance of the HVAC system with the Building Code as amended and Section 602 of the *International Mechanical Code as amended*. 0 points.
5. Category e — Systems serving one story; or a central boiler/chiller system without ductwork connecting two or more stories. +5 points.

Change Sections 1201.6.8 and 12.6.8.1 to read as follows:

1201.6.8 Automatic fire detection. Evaluate the smoke detection capability based on the location and operation of automatic fire detectors in accordance with Section 907 of the Building Code as amended and the *International Mechanical Code as amended*. Under the categories and occupancies in Table 1201.6.8, determine the appropriate value and enter that value into Table 1201.7 under Safety Parameter 1201.6.8, Automatic Fire Detection, for fire safety, means of egress and general safety.

1201.6.8.1 Categories. The categories for automatic fire detection are:

1. Category a — None.
2. Category b — Existing smoke detectors in HVAC systems and maintained in accordance with the Fire Prevention Code as amended.
3. Category c — Smoke detectors in HVAC systems. The detectors are installed in accordance with the requirements for new buildings in the *International Mechanical Code as amended*.
4. Category d — Smoke detectors throughout all floor areas other than individual guest rooms, tenant spaces and dwelling units.
5. Category e — Smoke detectors installed throughout the fire area.

Change Section 1201.6.9.1 to read as follows:

1201.6.9.1 Categories. The categories for fire alarm systems are:

1. Category a — None.
2. Category b — Fire alarm system with manual fire alarm boxes in accordance with Section 918.5 of the Building Code as amended and alarm notification appliances in accordance with Section 918.8 of the Building Code as amended.
3. Category c — Fire alarm system in accordance with Section 918 of the Building Code as amended.
4. Category d — Category c plus a required emergency voice/alarm communications system and a fire command station that conforms to Section 403.0 of the Building Code as amended and contains the emergency voice/alarm communications system controls, fire department communication system controls and any other controls specified in the Building Code as amended where those systems are provided.

Change Section 1201.6.10.1 to read as follows:

1201.6.10.1 Categories. The categories for smoke control are:

1. Category a — None.
2. Category b — The building is equipped throughout with an automatic sprinkler system. Openings are provided in exterior walls at the rate of 20 square feet (1.86 m²) per 50 linear feet (15,240 mm) of exterior wall in each story and distributed around the building perimeter at intervals not exceeding 50 feet (15,240 mm). Such openings shall be readily openable from the inside without a key or separate tool and shall be provided with ready access thereto. In lieu of operable openings, clearly and permanently marked tempered glass panels shall be used.
3. Category c — One enclosed exit stairway, with ready access thereto, from each occupied floor of the building. The stairway has operable exterior windows and the building has openings in accordance with Category b.
4. Category d — One smokeproof enclosure and the building has openings in accordance with Category b.
5. Category e — The building is equipped throughout with an automatic sprinkler system. Each fire area is provided with a mechanical air-handling system designed to accomplish smoke containment. Return and exhaust air shall be moved directly to the outside without recirculation to other fire areas of the building under fire conditions. The system shall exhaust not less than six air changes per hour from the fire area. Supply air by mechanical means to the fire area is not required. Containment of smoke shall be considered as confining smoke to the fire area involved without migration to other fire areas. Any other tested and approved design which will adequately accomplish smoke containment is permitted.
6. Category f — Each stairway shall be one of the following: a smokeproof enclosure in accordance with Section 1015.0 of the Building Code as amended; pressurized in accordance with Section 1015.7 of the Building Code as amended; or shall have operable exterior windows.

Change Sections 1201.6.11 and 1201.6.11.1 to read as follows:

1201.6.11 Means of egress capacity and number. Evaluate the means of egress capacity and the number of exits available to the building occupants. In applying this section, the means of egress are required to conform to Sections 1006.0 of the Building Code as amended (with the exception of Section 1006.5), 1008.0. and 1009.0 of the Building Code as amended (except that the minimum width required by this Section shall be determined solely by the width for the required capacity in accordance with Tables 1009.2 of the Building Code as amended), 1010.0, 1020.0 and 1025.0 of the Building Code as amended. The number of exits credited are the number that are available to each occupant of the area being evaluated. Existing fire escapes shall be accepted as a component in the means of egress when conforming to Section 605.3.1.2. Under the categories and occupancies in Table 1201.6.11, determine the appropriate value and enter that value into Table 1201.7 under Safety Parameter 1201.6.11, Means of Egress Capacity, for means of egress and general safety.

1201.6.11.1 Categories. The categories for means of egress capacity and number of exits are:

1. Category a - Compliance with the minimum required means of egress capacity or number of exits is achieved through the use of a fire escape in accordance with Section 605.3.1.2
2. Category b — Capacity of the means of egress complies with Section 1009.0 of the Building Code as amended and the number of exits complies with the minimum number required by Section 1010.0 of the Building Code as amended.
3. Category c — Capacity of the means of egress is equal to or exceeds 125 percent of the required means of egress capacity, the means of egress complies with the minimum required width dimensions specified in the code and the number of exits complies with the minimum number required by Section 1010.0 of the Building Code as amended.
4. Category d — The number of exits provided exceeds the number of exits required by Section 1010.0 of the Building Code as amended. Exits shall be located a distance apart from each other equal to not less than that specified in Section 1006.4.1 of the Building Code as amended.
5. Category e — The area being evaluated meets both Categories c and d.

Change Section 1201.6.12.1 to read as follows:

1201.6.12.1 Categories. The categories for dead ends are:

1. Category a — Dead end of 35 feet (10,670 mm) in unsprinklered buildings or 70 feet (21,340 mm) in

sprinklered buildings.

2. Category b — Dead end of 20 feet (6,096 mm); or 50 feet (15,240 mm) in Group B in accordance with Section 1011.2, exception 2 of the Building Code as amended.
3. Category c — No dead ends; or ratio of length to width (l/w) is less than 2.5:1.

Changes Sections 1201.6.13 thru 1201.6.14.1 to read as follows:

1201.6.13 Maximum travel distance to an exit. Evaluate the length of exit access travel to an approved exit. Determine the appropriate points in accordance with the following equation and enter that value into Table 1201.7 under Safety Parameter 1201.6.13, Maximum Exit Access Travel Distance, for means of egress and general safety. The maximum allowable exit access travel distance shall be determined in accordance with Section 1006.5 of the Building Code as amended.

1201.6.14 Elevator control. Evaluate the passenger elevator equipment and controls that are available to the fire department to reach all occupied floors. Elevator recall controls shall be provided in accordance with the Fire Prevention Code as amended. Under the categories and occupancies in Table 1201.6.14, determine the appropriate value and enter that value into Table 1201.7 under Safety Parameter 1201.6.14, Elevator Control, for fire safety, means of egress and general safety. The values shall be zero for a single story building.

1201.6.14.1 Categories. The categories for elevator controls are:

1. Category a — No elevator.
2. Category b — Any elevator without Phase I and II recall.
3. Category c — All elevators with Phase I and II recall as required by the Fire Prevention Code as amended.
4. Category d — All meet Category c; or Category b where permitted to be without recall; and at least one elevator that complies with new construction requirements serves all occupied floors.

Change Section 1201.6.15.1 to read as follows:

1201.6.15.1 Categories. The categories for means of egress emergency lighting are:

1. Category a — Means of egress lighting and exit signs not provided with emergency power in accordance with Section 2706.0 of the Building Code as amended.
2. Category b — Means of egress lighting and exit signs provided with emergency power in accordance with Section 2706.0 of the Building Code as amended.
3. Category c — Emergency power provided to means of egress lighting and exit signs which provides protection in the event of power failure to the site or building.

Change Section 1201.6.16.1 to read as follows:

1201.6.16.1 Categories. The categories for mixed occupancies are:

1. Category a — Minimum 1-hour fire barriers between occupancies.
2. Category b — Fire barriers between occupancies in accordance with Section 302.3.3 of the Building Code as amended.
3. Category c — Fire barriers between occupancies having a fire resistance rating of not less than twice that required by Section 302.3.3 of the Building Code as amended

Change Sections 1201.6.17 and 1201.6.17.1 to read as follows:

1201.6.17 Sprinklers. Evaluate the ability to suppress a fire based on the installation of an automatic sprinkler system in accordance with Section 903.3.1.1 of the Building Code as amended. "Required sprinklers" shall be based on the requirements of this code. Under the categories and occupancies in Table 1201.6.17, determine the appropriate value and enter that value into Table 1201.7 under Safety Parameter 1201.6.17, Automatic Sprinklers, for fire safety, means of egress divided by 2 and general safety. Hi-Rise buildings defined in Section 403.1 of the Building Code as amended that undergo a change in occupancy to Use groups R, shall be equipped throughout with an automatic sprinkler system in accordance with Section 403.2 and Chapter 9 of the Building Code as amended.

1201.6.17.1 Categories. The categories for automatic sprinkler system protection are:

1. Category a — Sprinklers are required throughout; sprinkler protection is not provided or the sprinkler system design is not adequate for the hazard protected in accordance with Section 903 of the Building Code as amended.
2. Category b — Sprinklers are required in a portion of the building; sprinkler protection is not provided or the sprinkler system design is not adequate for the hazard protected in accordance with Section 903 of the Building Code as amended.
3. Category c — Sprinklers are not required; none are provided.
4. Category d — Sprinklers are required in a portion of the building; sprinklers are provided in such portion; the system is one which complied with the code at the time of installation and is maintained and supervised in accordance with Section 903 of the Building Code as amended.
5. Category e — Sprinklers are required throughout; sprinklers are provided throughout in accordance with Chapter 9 of the Building Code as amended.
6. Category f — Sprinklers are not required throughout; sprinklers are provided throughout in accordance with Chapter 9 of the Building Code as amended.

Change Sections 1201.6.18 and 1201.6.18.1 to read as follows:

1201.6.18 Standpipes: Evaluate the ability to initiate attack on a fire by making supply of water available readily through the installation of Standpipes in accordance with Section 905.0 of the Building Code as amended. "Required Standpipes" shall be based on the requirements of the Building Code as amended. Under the categories and occupancies in Table 1201.6.18, determine the appropriate value and enter that value into table 1201.7 under Safety Parameter 1201.6.18, Standpipes, for fire safety, means of egress and general safety.

1201.6.18.1 Standpipe: The categories for Standpipe systems are:

1. Category a — Standpipes are required; Standpipe is not provided or the Standpipe system design is not in compliance with Sections 905.3 of the Building Code as amended.
2. Category b — Standpipes are not required; none are provided.
3. Category c — Standpipes are required; standpipes are provided in accordance with Section 905 of the Building Code as amended.
4. Category d — Standpipes are not required; standpipes are provided in accordance with Section 905 of the Building Code as amended.

Change Section 1201.6.19 to read as follows:

1201.6.19 Incidental use. Evaluate the protection of incidental use areas in accordance with Section 302.1.1 of the Building Code as amended. Do not include those where this code requires suppression throughout the building including covered mall buildings, high-rise buildings, public garages and unlimited area buildings. Assign the lowest score for the building or fire area being evaluated. If there be no specific occupancy areas in the building or fire area being evaluated, the value shall be zero.

TABLE 1201.6.19 INCIDENTAL USE AREA VALUES ^a							
PROTECTION REQUIRED BY TABLE 302.1.1 OF THE BUILDING Code as amended	PROTECTION PROVIDED						
	None	1 Hour	AFSS	AFSS with SP	1 Hour and AFSS	2 Hours	2 Hours and AFSS
2 Hours and AFSS	-4	-3	-2	-2	-1	-2	0
2 Hours, or 1 Hour and AFSS	-3	-2	-1	-1	0	0	0
1 Hour and AFSS	-3	-2	-1	-1	0	-1	0
1 Hour	-1	0	-1	-1	0	0	---
1 Hour, or AFSS with SP	-1	0	-1	-1	0	0	0
AFSS with SP	-1	-1	-1	-1	0	-1	0
1 Hour or AFSS	-1	0	0	0	0	0	0

a. AFSS = Automatic fire suppression system; SP = Smoke partitions (See Section 302.1.1.1).

Note: For Table 1201.7, see page 674.

CHAPTER 13 CONSTRUCTION SAFEGUARDS

Change Section 1301.5 to read as follows:

1301.5 Facilities required. Sanitary facilities shall be provided during construction or demolition activities in accordance with the Plumbing Code as amended listed in Chapter 14.

Change Section 1301.6.1 to read as follows:

1301.6.1 Walkways. A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the authority having jurisdiction authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface. Walkways shall be accessible in accordance with Chapter 11 of the Building Code as amended and shall be designed to support all imposed loads and in no case shall the design live load be less than 150 psf (7.2 kN/m²).

Change Section 1301.6.4.1 to read as follows:

1301.6.4.1 Barrier design. Barriers shall be designed to resist loads required in Chapter 16 of the Building Code as amended unless constructed as follows:

1. Barriers shall be provided with 2 × 4 top and bottom plates.
2. The barrier material shall be a minimum of ¾ inch (19.1 mm) inch boards or ¼ inch (6.4 mm) wood structural use panels.
3. Wood structural use panels shall be bonded with an adhesive identical to that for exterior wood structural use panels.
4. Wood structural use panels ¼ inch (6.4 mm) or 5/16 inch (7.9 mm) in thickness shall have studs spaced not more than 2 feet (610 mm) on center.
5. Wood structural use panels 3/8 inch (9.5 mm) or ½ inch (12.7 mm) in thickness shall have studs spaced not more than 4 feet (1219 mm) on center, provided a 2 inch by 4 inch (51 mm by 102 mm) stiffener is placed horizontally at the mid height where the stud spacing exceeds 2 feet (610 mm) on center.
6. Wood structural use panels 5/8 inch (15.9 mm) or thicker shall not span over 8 feet (2438 mm).

Change Section 1301.6.7 to read as follows:

1301.6.7 Adjacent to excavations. Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier not less than 6 feet (1829 mm) high. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when required by the code official. Barriers shall be of adequate strength to resist wind pressure as specified in Chapter 16 of the Building Code as amended.

Change Sections 1304.1 and 1304.2 to read as follows:

1304.1 Where required. All structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher at each stairway on all floor levels where combustible materials have accumulated. An approved portable fire extinguisher shall be provided in every storage and construction shed. The code official is authorized to require additional approved portable fire extinguishers where special hazards exist, such as flammable or combustible liquid storage hazards. Fire extinguishers shall comply with Section 906 of the Fire Prevention Code as amended.

1304.2 Fire hazards. The provisions of this code and of the Fire Prevention Code as amended shall be strictly observed to safeguard against all fire hazards attendant upon construction operations.

Change Section 1306.3 to read as follows:

1306.3 Detailed requirements. Standpipes shall be installed in accordance with the provisions of Chapter 9 of the Building Code as amended.

Exception: Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes conform to the requirements of Section 905 of the Building Code as amended as to capacity, outlets and materials.

Change Chapter 14 to read as follows:

CHAPTER 14			
REFERENCED STANDARDS			
ASCE	American Society of Civil Engineers 1801 Alexander Bell Drive Reston, VA 20191-4400		
	Standard reference number	Title	Referenced in code section number
	ASCE 31	Seismic Evaluation of Existing Buildings (Updated version of FEMA 310)	407.1.1.1, 407.1.1.3, Table 407.1.1.2, note 1, Table 407.1.1.2
ASHRAE			
	Standard reference number	Title	Referenced in code section number
	62-99		609.2
ASME	American Society of Mechanical Engineers 345 East 47 th Street New York, NY 10017-2392		
	Standard reference number	Title	Referenced in code section number
	A17.1		506.1.1, 506.1.2, 702.1.2
	A17.3		702.1.2
ASTM	American Society of Testing and Materials 100 Barr Harbor Drive West Conshohocken, PA 19428-2956		
	Standard reference number	Title	Referenced in code section number
	C94-98b	Specification for Ready-Mixed Concrete	109.3.1
BOCA	Building Officials Code Administrators, Inc. 4051 West Flossmoor Road Country Club Hills, IL 60478		
	Standard reference number	Title	Referenced in code section number

NBC	1999 BOCA National Building Code	101.2, 102.4.2, 106.1.1.1, 109.3.3,
		109.3.8, 115.3, 117.1, 202, 301.4,
		306.1, 410.4, 402.1, 403.2,
		407.1.1.1, 407.1.1.2, 407.1.1.1.3,
		407.12, 407.2, 407.3.1, 407.3.1.1,
		407.3.2.1.1, 407.3.4, 407.3.5, 501.2,
		501.3, 502.1, 503.1, 503.2, 503.3,
		506.1, 506.1.7, 506.1.8, 507.2.1,
		507.2.2, 601.3, 602.1, 603.2.1,
		603.3.2, 603.4, 603.5.2, 604.2,
		604.2.2, 604.2.3, 604.2.4, 604.3,
		605.3, 605.3.1, 605.4.3, 605.5,
		605.6, 605.7.1, 605.8.1, 605.9.2,
		605.10.2, 607.1, 607.2, 607.3,
		607.4, 607.4.1, 607.4.3, 703.2.1,
		704.1.2, 704.2, 704.2.1, 705.2,
		705.3, 707.2, 707.3, 707.5.1, 707.6,
		707.7, 801.1, 801.3, 802.1, 802.2
		807.1, 807.2, 807.3.1, 811.1.1,
		812.1.1, 812.1.2, 812.3.1, 812.4.1.1,
		812.4.1.2, 812.4.1.3,
		812.4.3.1, 812.4.3.3, 812.4.4.1,
		812.4.4.3, 812.5, 902.1, 902.2
		902.3, 903.1, 903.2, 903.3, 903.3.1
		903.3.2, 903.4, 903.5, 904.1, 904.2,
		906.1, 1001.4, 1002.3, 1002.5,
		1003.11.1, 1004.2, 1004.9, 1004.16,
		1005.1.4, 1101.2, 1102.1, 1102.2,
		1102.2.1, 1102.3, 1102.4, 1102.5,
		1102.6, 1201.2.2, 1201.2.3,
		1201.2.4, 1201.2.5, 1201.3.3,
		1201.4.1, 1201.6.1, 1201.6.1.1,
		1201.6.2, 1201.6.2.1, 1201.6.3.1,
		1201.6.3.2, 1201.6.4.1, 1201.6.5,
		1201.6.5.1, 1201.6.6, 1201.6.7.1,
		1201.6.8, 1201.6.9.1, 1201.6.10.1,
		1201.6.11, 1201.6.11.1,
		1201.6.12.1, 1201.6.13,
		1201.6.15.1, Table 1201.6.15
		1201.6.16.1, 1201.6.17,
		1201.6.17.1, 1201.6.18,
		1201.6.18.1, 1201.6.19,
		T1201.6.18, 1301.6.4.1, 1301.6.7,
		1306.3
NFPC	1999 BOCA National Fire Prevention Code	101.4, 101.5, 101.7, 202, 603.2.1,
		603.2.3, 604.4.3, 604.4.1.1,
		604.1.1.2, 604.1.1.3, 604.1.1.4,
		604.1.1.5, 604.1.1.6, 604.1.1.7,

			1101.2, 1201.3.2, 1201.6.8.1,
			1201.6.14, 1201.6.14.1, 1304.1,
			1304.2
FEMA	Federal Emergency Management Agency Federal Center Plaza 500 C Street S.W. Washington, DC 20472		
	Standard reference number	Title	Referenced in code section number
	FEMA 356	Pre-standard for the Seismic Rehabilitation of Buildings (Updated version of FEMA 273)	407.1.1.1, 407.1.1.2, 407.1.1.3, Table 407.1.1.2
ICC	International Code Council 5203 Leesburg Pike, Suite 708 Falls Church, VA 22041		
	Standard reference number	Title	Referenced in code section number
	ICC/ANSI A117.1	Accessible and Usable Buildings and Facilities	202, 506.1, 506.1.1, 506.1.2
	IFGC	International Fuel Gas Code	509.2, 509.2.1, 509.2.2, 509.3
	IMC	International Mechanical Code	101.2, 115.3, 503.3, 509.1.1,
			509.1.3, 509.1.4, 509.3, 609.1,
			609.4, 702.1.1, 702.2.1, 709.1,
			809.1, 809.2, 809.3, 901.1, 908.1,
			1201.6.7.1, 1201.6.8, 1201.6.8.1
	IPMC	International Property Maintenance Code	101.4, 101.5, 101.7, 1101.2, 1201.3.2
NFPA	National Fire Protection Association Batterymarch Park Quincy, MA 02269		
	Standard reference number	Title	Referenced in code section number
	NFPA 13R		604.2.5 item 5
	NFPA 70-NEC	National Electrical Code	101.2, 107.3, 115.3, 408.1, 408.2.8,
			503.3, 508.1, 608.1, 608.3, 608.3.4,
			608.3.7, 708.1, 808.1, 808.2, 808.3,
			808.4, 907.1
	NFPA 72		604.2.5 items 1 through 4, 604.4
	NFPA 99-1999		408.1 Exception 4
NSPC	National Association of Plumbing, Heating Cooling Contractors P.O. Box 6808 Falls Church, VA 22046		
	Standard reference number	Title	Referenced in code section number
	NSPC	1987 National Standard Plumbing Code	101.2, 115.3, 410.2, 503.3, 510.1.1,
			510.1.2, 510.2, 610.1, 710.1, 810.1,
			810.2, 810.3, 810.5, 909.1, 1301.5

SECTION THREE....SAVING CLAUSE

That nothing in this Ordinance or in the Electrical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section Two of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION FOUR....PENALTY CLAUSE

Any person, partnership or corporation who shall violate any provision of this Code or shall fail to comply with any of the requirements thereof or who shall install electrical work in violation of approved construction documents or directive of the code official, or of a permit or license issued under the provisions of this Code, shall be subject to immediate arrest, and, upon conviction, be fined not more than five hundred dollars or by imprisonment not exceeding thirty days or both such fine and imprisonment. Each day that a violation continues shall be deemed as a separate and distinct offense.

SECTION FIVE.

It is the intent of the Board of Aldermen that Section Two of this ordinance be codified in the Revised Code of the City of Saint Louis.

SECTION SIX....EMERGENCY CLAUSE

This being an ordinance necessary for the immediate preservation of the public safety, it is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

Approved: June 26, 2003

**ORDINANCE #65928
Board Bill No. 24**

An ordinance repealing Ordinance 45939 and enacting in lieu thereof a new ordinance establishing a two way stop site for all north-south traffic traveling on Morganford Road approaching the intersection of Morganford Road and Osceola Street and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 45939 is hereby repealed and the following ordinance is enacted in lieu thereof:

SECTION TWO. There is hereby established a two way stop site for all north-south traffic traveling on Morganford Road approaching the intersection of Morganford Road and Osceola Street. The director of streets is hereby authorized and directed to install stop signs at said location to regulate traffic approaching this intersection.

SECTION THREE. Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved; June 26, 2003

**ORDINANCE #65929
Board Bill No. 61**

AN ORDINANCE AMENDING SUBSECTION 902.1 OF SECTION 3, CHAPTER 9, OF ORDINANCE NO. 65023, APPROVED JULY 21, 2000, PERTAINING TO "LICENSING" IN THE PROPERTY MAINTENANCE CODE OF THE CITY OF ST. LOUIS (THE "CODE"), BY ESTABLISHING AN ADDITIONAL EXCEPTION TO THE PERMIT AND LICENSING REQUIREMENTS IN SUBSECTION 902.1 OF SAID ORDINANCE 65023; CONTAINING A SEVERABILITY CLAUSE; AND CONTAINING AN EMERGENCY CLAUSE.

WHEREAS, there continue to exist, in the City of St. Louis (the "City"), areas of economic instability, economic decline and areas which suffer from a lack of continued investment and development; and

WHEREAS, new development, investment and expansion in the City will serve to stabilize blighted areas, insanitary areas, or areas otherwise in economic decline in the City, and will significantly benefit the City by increasing and providing new revenues by the creation of new jobs, new and increased sales, increased property tax values, additional or increased payroll and earning taxes, and enhanced tourism; and

WHEREAS, in order to ensure the stability and expansion of the City's economy, the City wishes to stimulate, promote and attract economic development and tourism in the City by encouraging development of hotels in the central business district and along interstate highway corridors for ease of access and visibility to potential tourists and travelers; and

WHEREAS, the City finds that it is in the best interests of the City and its residents and its inhabitants to provide an exception for hotels in the central business district and along interstate highway corridors from certain provisions of the permit and licensing requirements of the Code in order to promote, encourage, and attract new development and tourism in the City.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Board of Aldermen hereby adopts the foregoing recitals as findings.

SECTION TWO. Subsection 902.1 of Section 3, Chapter 9 of Ordinance No. 65023, approved July 21, 2000, pertaining to "Licensing" is hereby repealed in its entirety and in lieu thereof a new section is enacted to read as follows:

902.1 Permit and license required. It shall be unlawful to operate a hotel, dormitory, rooming house or boarding house without first obtaining a permit and license as hereinafter set forth. An applicant for a license to operate a dormitory, rooming house, boarding house or hotel, together with all other requirements of this Chapter, shall also file a plat or drawing showing its location or premises together with the position of the building to be used thereon and a written petition in favor of the issuance of such license signed by a majority of the persons, if any, occupying the premises or conducting any business on the main floor within the prescribed petition circle drawn by a radius of five-hundred (500) feet plus one-half of the width of the front of the premises, from the center of such premises projected to the streets. A neighborhood consent petition shall not be required for successive yearly renewals for the same license on the same premises immediately succeeding the original licensing. No such application shall be approved wherein a church, elementary school or secondary school is located within the radius hereinabove described.

Exceptions:

1. Sheltered workshops and residence facilities authorized by Sections 205.968 to 205.972 of the Revised Statutes of Missouri, 2000, as amended, shall be and are hereby exempted from the plat and petition and the church and school petitions set forth herein.
2. Hotels of sixty (60) or more rooms shall be and are hereby exempted from the plat and petition requirements set forth within the areas defined herewith:
 - A. Beginning at a point, said point being the intersection of the center lines of the Poplar Street Bridge and Leonor K. Sullivan Boulevard; thence northwardly along said centerline of Leonor K. Sullivan Boulevard to the point of intersection thereof with the centerline of Biddle Street; thence westwardly along said centerline of Biddle Street to the point of intersection with the centerline of Interstate 70; thence southwardly along said centerline of Interstate 70, to the point of intersection with the centerline of Cole Street; thence westwardly along said centerline of Cole Street to the point of intersection with the center of Tucker Boulevard; thence southwardly along said centerline of Tucker Boulevard to the point of intersection with the centerline of Dr. Martin Luther King Boulevard; thence westwardly along said centerline of Dr. Martin Luther King Boulevard to the point of intersection with the centerline of Jefferson Avenue; thence southwardly along said centerline of Jefferson Avenue to the point of intersection with the centerline of Interstate 64; thence eastwardly along said centerline of Interstate 64, to the point of intersection with Leonor K. Sullivan Boulevard, said point being the point of beginning; and
 - B. Any and all areas within two thousand (2,000) feet of an interstate highway measured from the center line of said interstate highway.

SECTION THREE. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of the Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

SECTION FOUR. This being an ordinance necessary for the immediate preservation of the public safety, it is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

Approved: June 26, 2003

**ORDINANCE #65930
Board Bill No. 67**

An Ordinance authorizing and directing the Commissioner of Emergency Management, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the State of Missouri Emergency Management Agency for a grant to fund the purchase of emergency responder equipment by CEMA, appropriating said funds in the amount of \$275,000 and authorizing the Commissioner of Emergency Management, upon approval of the Board of Estimate and Apportionment, to expend the funds by entering into contracts or otherwise for grant purposes and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Commissioner of Emergency Management is hereby authorized and directed, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the State of Missouri Emergency Management Agency to fund emergency responder equipment. Said Grant Agreement shall be substantially in words and figures the same as the attached Agreement, which is made part of this Ordinance and is on file in the Register's Office.

SECTION TWO. The Commissioner of Emergency Management is hereby authorized and directed, upon approval of the Board of Estimate and Apportionment, to expend the funds, which are hereby appropriated for said purpose, by entering into contracts or otherwise received pursuant to the Grant Agreement, totaling \$275,000, in a manner that is consistent with the provisions of said Agreement, a copy of which is attached hereto and shall become part of the ordinance.

SECTION 3. Emergency Clause. This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an immediate measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

**Missouri State Emergency Management Agency
FY 2002 State Domestic Preparedness Program
Funding Approval application and chart
on file in the Register's Office**

Approved: June 26, 2003

**ORDINANCE #65931
Board Bill No. 116**

An ordinance recommended by the Parking Commission making appropriation for payment of the operating expenses, capital equipment and improvement expenses, including lease purchase agreements involving Parking Division assets, and debt service expenses of the Parking Division of the Treasurer's Office, Kiel Parking Facilities, Marquette Parking Facility, Argyle Parking Facility, Chouteau Parking Facility, Williams Paper Parking Facility, and the Central Downtown Parking Facility for the fiscal year beginning July 1, 2003 and ending June 30, 2004, amounting in the aggregate to the sum of Ten Million, Three Hundred Twenty Seven Thousand, Seven Hundred Twelve Dollars (\$10,327,712) and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There is hereby appropriated, from the anticipated revenue of the Parking Fund, the Sum of Five Million, Four Hundred Ninety Three Thousand, Nine Hundred Fifty Seven Dollars (\$5,493,957) for the payment during the fiscal period beginning July 1, 2003 and extending through June 30, 2004 of operating expenses, capital expenses, lease/purchase agreements for Parking Division assets, including parking systems and equipment and other required expenses of the Parking Division of the Treasurer's Office, as hereinafter detailed on Exhibit 1.

SECTION TWO. Pursuant to Ordinance 62674, dated July 7, 1992, there is hereby appropriated from revenues available to the Kiel Center Parking Facilities the sum of Two Million, Two Hundred Sixty One Thousand, Four Hundred Forty Nine Dollars (\$2,261,449) for the operations and maintenance of the Kiel Center Parking Facilities, including the sum of One Million, Seven Hundred Three Thousand, Five Hundred, Eight Dollars (\$1,703,508) for debt service as hereinafter detailed on Exhibit 2.

SECTION THREE. Pursuant to Ordinance 64350 dated April 1, 1998, there is hereby appropriated from revenues available to the Marquette Parking Facility the sum of Seven Hundred Forty One Thousand, Seven Hundred Sixty Dollars (\$741,760) for the operations and maintenance of the Marquette Parking Facility, including the sum of Five Hundred Eighty Five Thousand, Seven Hundred Fifty Eight Dollars (\$585,758) for debt service as hereinafter detailed on Exhibit 3.

SECTION FOUR. Pursuant to Ordinance 64539 dated January 4, 1999, there is hereby appropriated from revenues available to the Argyle Parking Facility the sum of One Million, Two Hundred Fifty Nine Thousand, Eight Hundred Fifty Eight Dollars (\$1,259,858) for the operations and maintenance of the Argyle Parking Facility, including the sum of Nine Hundred Seventy Six Thousand, Eight Hundred Seventy Six Dollars (\$976,876) for debt service as hereinafter detailed on Exhibit 4.

SECTION FIVE. There is hereby appropriated from revenues available to the Chouteau Parking Facility the sum of Four Hundred Thirty Eight Thousand, Six Hundred Dollars (\$438,600) for the operations and maintenance of the Chouteau Parking Facility as hereinafter detailed on Exhibit 5.

SECTION SIX. There is hereby appropriated from revenues available to The Williams Paper Parking Facility the sum of Eighty Thousand, Eighty Seven Dollars (\$80,087) for the operations and maintenance of The Williams Paper Parking Facility as hereinafter detailed in Exhibit 6.

SECTION SEVEN. Pursuant to ordinance 65403 dated January 25, 2002, there is hereby appropriated from revenues available to the Central Downtown Parking Facility the sum of Fifty Two Thousand, One Dollars (\$52,001) for the operations and maintenance of the Central Downtown Parking Facility as hereinafter detailed on Exhibit 7.

SECTION EIGHT. The passage of this Ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency Ordinance as provided for by Article IV. Section 20 of the Charter of the City of St. Louis and shall be effective immediately upon approval by the Mayor.

EXHIBIT 1

CITY OF ST. LOUIS
FY 2003 - 04

FUND 1520

DEPT 343

NAME: Parking Division

<u>ACCT</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNTS</u>	<u>SUBTOTALS</u>
	-PERSONAL SERVICES-		
5101	Salaries - Regular Employees	3,301,028	
5136	Employer Social Security Coverage	252,529	
5137	Employees Health Insurance	365,800	
5138	Employee Retirement Plan	290,490	
5142	Employees Life Insurance	12,610	
5144	Worker's Compensation - Disability	150,000	
			4,372,457
	-MATERIALS & SUPPLIES -		
5235	Office Supplies & Computer Supplies	18,000	
5237	Health & Safety (Wearing Apparel)	15,000	
5238	Facility & Grounds	25,000	
5239	Fleet Supplies	40,000	
5290	Parking Supplies (Tools, Misc, Tickets)	70,000	
			168,000
	-RENTAL AND NON-CAPITAL LEASES -		
5335	Lease of Equipment	3,000	
			3,000
	-NON-CAPITAL EQUIPMENT-		
5435	Office Equipment	22,000	
5490	Parking Equipment	5,000	
5535	Equipment	140,000	
5539	Fleet Equipment	96,000	
			263,000
	-CONTRACTUAL & OTHER SERVICES -		
5635	Postage	400	
5636	Telecom. Services & Repair Contracts	28,900	
5637	Health & Safety	4,300	
5639	Fleet Repair	70,000	
5645	Travel	13,500	
5646	CPE	4,000	
5649	Utilities	22,000	
5659	Professional Services	287,400	
5660	Legal Service	90,000	
5668	Lobbying	2,000	
5670	Prior Year Encumbrances	100,000	
5690	Parking Expansion & Repairs	15,000	
5790	New Parking Lots	50,000	
			687,500
	DEPARTMENT TOTAL		5,493,957

EXHIBIT 2CITY OF ST. LOUIS
FY 2003 - 04

FUND 1521

DEPT 343

NAME: Kiel Parking Facility

<u>ACCT</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNTS</u>	<u>SUBTOTALS</u>
	-PERSONAL SERVICES-		
5101	Salaries - Regular Employees	119,938	
5112	Salaries - Per Performance Employees	156,000	
5136	Employer Social Security Coverage	21,109	
5137	Employees Health Insurance	11,800	
5138	Employee Retirement Plan	10,555	
5142	Employees Life Insurance	458	
			319,860
	-MATERIALS & SUPPLIES -		
5235	Office & Computer Supplies	6,204	
5237	Health & Safety (Wearing Apparel)	1,500	
5238	Facility & Grounds	7,000	
5290	Parking supplies (Tools, Misc, Tickets)	14,000	
			28,704
	-NON-CAPITAL EQUIPMENT-		
5490	Parking Equipment	1,500	
			1,500
	-CONTRACTUAL & OTHER SERVICES -		
5639	Fleet Repair	2,000	
5636	Telecom Service	4,277	
5637	Health & Safety	5,600	
5638	Facility & Grounds	22,000	
5649	Utilities	60,000	
5659	Professional Services	42,000	
5663	Insurance Property	42,000	
5790	New Parking Lots	30,000	
			207,877
	-DEBT SERVICE CHARGES-		
5755	Principal	470,000	
5756	Interest	1,228,508	
5757	Debt Fees	5,000	
			1,703,508
	DEPARTMENT TOTAL		2,261,449

EXHIBIT 3**CITY OF ST. LOUIS
FY 2003 - 04**

FUND 1522

DEPT 343

NAME: Marquette Parking Facility

<u>ACCT</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNTS</u>	<u>SUBTOTALS</u>
	-PERSONAL SERVICES-		
5101	Salaries - Regular Employees	41,125	
5112	Salaries - Per Performance Employees	19,500	
5136	Employer Social Security Coverage	4,638	
5137	Employees Health Insurance	8,850	
5138	Employee Retirement Plan	3,619	
5142	Employees Life Insurance	157	
			77,889
	-MATERIALS & SUPPLIES -		
5235	Office & Computer Supplies	2,025	
5238	Facility & Grounds	1,125	
5290	Parking Supplies (Tool, Misc, Tickets)	900	
			4,050
	-RENTAL AND NON-CAPITAL LEASES -		
5636	Telecom. Services & Repair Contracts	2,250	
5637	Health & Safety	1,125	
5638	Facility & Grounds	14,438	
5649	Utilities	15,000	
5663	Insurance - Property	26,250	
5790	New Parking Lots	15,000	
			74,063
	-DEBT. SERVICE CHARGES-		
5755	Principal	220,000	
5756	Interest	360,758	
5757	Debt Fees	5,000	
			585,758
	DEPARTMENT TOTAL		741,760

EXHIBIT 4

CITY OF ST. LOUIS
FY 2003 - 04

FUND 1523

DEPT 343

NAME: Argyle Parking Facility

<u>ACCT</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNTS</u>	<u>SUBTOTALS</u>
	-PERSONAL SERVICES-		
5101	Salaries - Regular Employees	109,772	
5136	Employer Social Security Coverage	11,015	
5137	Employees Health Insurance	14,750	
5138	Employee Retirement Plan	9,660	
5142	Employees Life Insurance	419	
5172	Salaries - Per Performance	34,216	
			179,832
	-MATERIALS & SUPPLIES -		
5235	Office & Computer Supplies	2,400	
5237	Health & Safety (Wearing Apparel)	800	
5238	Facility & Grounds	2,000	
5290	Parking Supplies (Tools, Misc, Tickets)	2,200	
			7,400
	-CONTRACTUAL & OTHER SERVICES -		
5636	Telecom. Services & Repair Contracts	3,500	
5637	Health & Safety	1,100	
5638	Facility & Grounds	12,150	
5649	Utilities	27,000	
5663	Insurance - Property	42,000	
5790	New Parking Lots - Special	10,000	
			95,750
	-DEBT SERVICE CHARGES-		
5755	Principal	290,000	
5756	Interest	681,876	
5757	Debt Fees	5,000	
			976,876
	DEPARTMENT TOTAL		1,259,858

EXHIBIT 5

CITY OF ST. LOUIS
FY 2003 - 04

FUND 1524

DEPT 343

NAME: Chouteau Parking Facilities

<u>ACCT</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNTS</u>	<u>SUBTOTALS</u>
5238	-MATERIALS & SUPPLIES - Facility & Grounds	<u>1,000</u>	1,000
5538	-CAPITAL ASSETS- Tenant improvements	<u>50,000</u>	50,000
5636	-CONTRACTUAL & OTHER SERVICES - Telecom Services	600	
5638	Facility & Grounds	295,000	
5649	Utilities	2,000	
5659	Professional Services	70,000	
5663	Insurance	<u>20,000</u>	387,600
DEPARTMENT TOTAL			<u>438,600</u>

EXHIBIT 7

CITY OF ST. LOUIS
FY 2003 - 04FUND 1526
DEPT 343

NAME: Central Downtown Parking Facility

<u>ACCT</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNTS</u>	<u>SUBTOTALS</u>
	-PERSONAL SERVICES-		
5101	Salaries - Regular Employees	13,709	
5172	Salaries - Per Performance Employees	6,500	
5136	Employer Social Security Coverage	1,546	
5137	Employees Health Insurance	2,950	
5138	Employee Retirement Plan	1,206	
5142	Employees Life Insurance	52	
			25,963
	-MATERIALS & SUPPLIES -		
5235	Office & Computer Supplies	675	
5238	Facility & Grounds	375	
5290	Parking Supplies	300	
			1,350
	-CONTRACTUAL & OTHER SERVICES -		
5636	Telecom Services	750	
5637	Health & Safety	375	
5638	Facility & Grounds	4,813	
5649	Utilities	5,000	
5663	Insurance Property	8,750	
5790	New Parking Lots	5,000	
			24,688
	DEPARTMENT TOTAL		52,001

Approved: June 26, 2003